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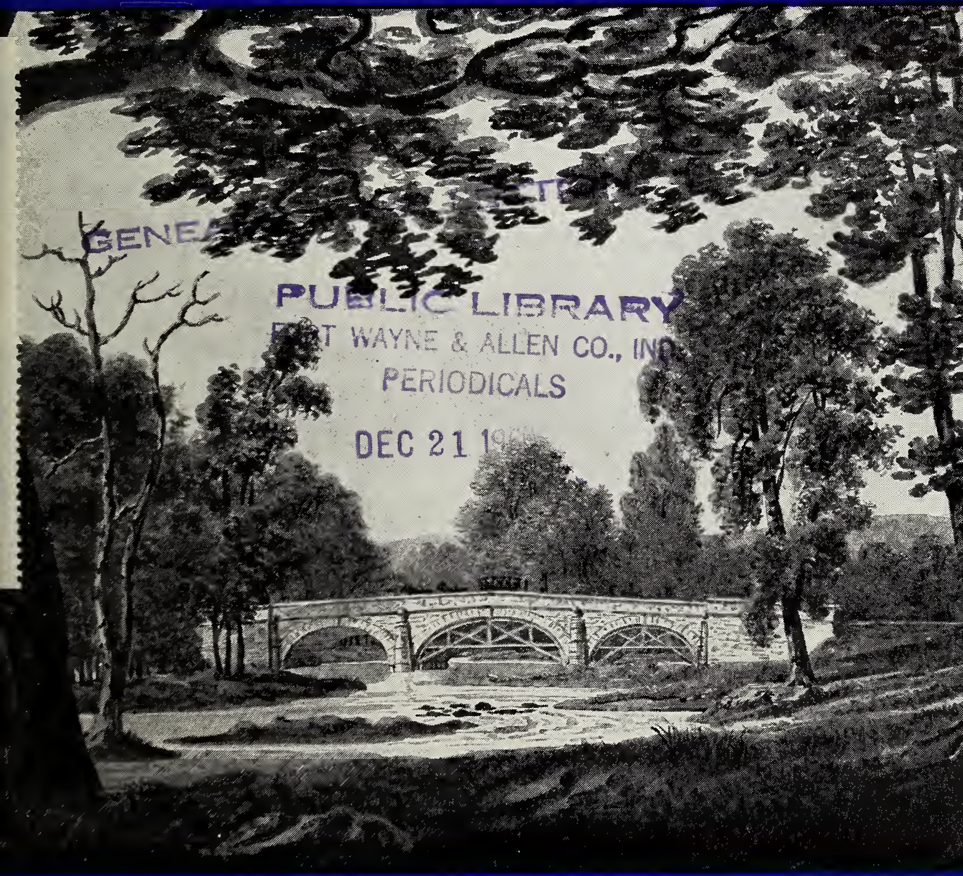

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Volume 55 MARCH, 1960 Number 1

PHILADELPHIA AND BALTIMORE, 1790–1840:

A STUDY OF INTRA-REGIONAL UNITY

By JANE N. GARRETT †

HISTORIANS have generally taken for granted the existence of an underlying unity between Maryland and the South. It has been assumed that what was true of early, tobacco producing, tidewater Maryland also applied to the post-1760 period and included the Piedmont regions. Since the early planters gravitated toward Virginia, it has been assumed that the later merchants followed their example. But the conventional theory of Maryland's inseparable tie with the South is only tenable for the seventeenth and early eighteenth centuries; and its attribution to the post-Revolutionary period is a projection of ideas forward where they have no place.

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† This article represents with revision a portion of the author's Honors thesis, "The Philadelphia and Baltimore Spheres of Influence, 1790-1840," University of Delaware, 1957.

Looking at the " Chesapeake Society " in retrospect, one can regard it with respect and nostalgia.[1] It accorded well with early tidewater Maryland before a grain economy supplanted tobacco, when slavery formed the basis of the colony's labor supply, when its iron ore and water power were only beginning to be important, when Baltimore was still a village, and when its unique tobacco land alone was its great resource. It was during the last half of the eighteenth century that grain and milling suddenly leaped forward into a place of commanding influence. The effect upon the economy was spectacular, and Baltimore gradually supplanted Annapolis as the economic and cultural center of the state. This article attempts to demonstrate through a study of Maryland's relationship with Pennsylvania between 1790 and 1840 that from the middle of the eighteenth century, Maryland, and particularly Baltimore, faced northward and was more fully within Philadelphia's sphere of influence than that of the South.

The story of Philadelphia and Baltimore from 1790 to 1840 is the study of maturity on the one hand and infancy and growth on the other. Philadelphia was founded in the later part of the seventeenth century and rapidly developed into a city of considerable size; Baltimore was not founded until 1729, nor chartered until 1797. The latter town, furthermore, did not enjoy such rapid growth as did Philadelphia. In 1752, over twenty years after its founding, Baltimore was still living in the shadow of Annapolis and consisted of only 200 inhabitants. Philadelphia at this time had a population of over 13,000.[2] In 1764 Governor Sharpe, writing to Lord Baltimore, remarked that although Baltimore transacted more business than any city in Maryland, she was yet to Philadelphia as Dover was to London.[3] But Baltimore was not long destined to remain a provincial town.

During the Revolutionary period Baltimore received, from being a blockade-free port, the necessary impetus to make valid her claim to urbanization. The rise of Baltimore was further aided by a basic change in the Maryland economy—the shift in staple from tobacco to grain. In the decade from 1790 to 1800, the population of the city rose from 13,503 to 31,518, and Baltimore was indeed "a group of cabins to a city chang'd." [4] Philadelphia, meanwhile, lost its leadership in export trade to New York early in the nineteenth century but remained commercially strong and was not surpassed as the cultural center of the country. Baltimore's link with the Middle Atlantic region also manifested itself in an intimate connection with Philadelphia's hinterland, especially with the prosperous agricultural country between the Susquehanna River and the Allegheny Mountains. In this area, whose population more than tripled between 1790 and 1840, lived approximately one quarter of the inhabitants of Pennsylvania. The location of the greatest portion of these central Pennsylvanians between the Maryland line and Pennsylvania's geographical center made them very susceptible to Baltimore's influence which extended across the border and up the Susquehanna River.[5]

---

[1] Carl Bridenbaugh, *Myths and Realities, Societies of the Old South* (Baton Rouge, 1952). In Chapter I Bridenbaugh includes Maryland, Virginia, and North Carolina in a " Chesapeake Society."

[2] Horace M. Lippincott, *Early Philadelphia, Its People, Life and Progress* (Philadelphia, 1917), Chapter II; S. N. D. North, *A Century of Population Growth, 1790-1909* (Washington, 1909), p. 11.

[3] *Arch. Md.*, XIV, 173.

Contact between Maryland and Pennsylvania was stimulated by natural similarities and by the developing communications that both followed the coast and crisscrossed the back-country. The most popular stage route ran from Philadelphia to Elkton, across the Susquehanna to Havre de Grace and on to Baltimore. But it was equally possible to travel via the Philadelphia, Brandywine and New London Turnpike chartered in 1809, by way of Lancaster and York or Lancaster and Harrisburg.[6] In addition to the overland stages there was a packet-stage combination which conveyed passengers down the Delaware by sloop to New Castle, by stage to Frenchtown on the Elk River, and by sloop again down the Chesapeake to Baltimore.

The Chesapeake and Delaware Canal, opened in 1829, facilitated communications between the two bays although the project was largely conceived and sponsored by Philadelphians whose purpose it was to divert some of the trade flowing down the Susquehanna River.[7] The canal itself was intended for freight traffic while the New Castle and Frenchtown Railroad provided passenger service. But even the building of a railroad to improve the efficiency of the New Castle-Frenchtown route could not forestall the demise of that line once direct rail communications were established between Baltimore and Philadelphia in 1838.[8]

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[4] Jared Sparks, "Baltimore," *North American Review,* XX (January, 1825), 109; *Newport* [Rhode Island] *Mercury,* June 28, 1790.

[5] North, *A Century of Population Growth,* Tables 104, 196-198; *Compendium of the Sixth Census* (Washington, 1841), p. 26.

[6] For descriptions of these various routes see: Duc de la Rochefoucauld-Liancourt, *Travels Through the United States . . . 1795, 1796, and 1797,* 4 vol. (London, 1800), III, 262; John T. Faris, *Olds Roads Out of Philadelphia* (Philadelphia, 1917), pp. 78-79; Philadelphia, *Poulson's American Daily Advertiser,* March 1-2, 1830; *Baltimore American,* March 2, 1830; Thomas Hamilton, *Men and Manners in America,* 2 vol. (Edinburgh, 1833), II, 1-6.

In Pennsylvania's interior the Susquehanna, which led directly to the Chesapeake Bay and Baltimore, was the dominant feature of that region's communication system. The West Branch provided an outlet for the northern counties and the Juniata connected the central counties with the main river traffic. Since the lower Susquehanna was virtually unnavigable, Philadelphia merchants were able to direct some produce into their city by providing a good overland route via the Lancaster Turnpike. But Baltimore capitalists, not to be outdone, financed mills at York Haven to mill the wheat from up-river and sent the flour by wagons to Baltimore.[9] The development of arks and rafts in the 1790's enabled boatmen to run the rapids and falls safely, but these could be used only for descending navigation. Once the arks reached Havre de Grace at the mouth of the Susquehanna the produce was transferred to bay shallops and carried to Baltimore.[10]

The years between 1790 and 1840 were marked by a continuous effort on the part of both Philadelphia and Baltimore to tap the trade of central Pennsylvania by means of canals. Baltimoreans put their efforts into a canal around the obstructions in the lower Susquehanna; and by 1803 such a canal had been completed from tidewater to the Pennsylvania line. But since Pennsylvania failed to improve the navigation beyond her boundary the venture proved unsuccessful. Not until 1840 was the Susquehanna or Tidewater Canal, beginning at Wrightsville and continuing down the west bank to Havre de Grace, completed.[11] Philadelphia countered with a plan for a canal between the Susquehanna and the Schuylkill which was finally realized in the Union Canal, opened in 1828, and followed a year later by the Chesapeake and Delaware Canal. By 1834 the main line of the Pennsylvania State System had been completed, and Pittsburgh and intermediate points were thereby connected to the Susquehanna by water, except for a short portage railway between Holidaysburg and Johnstown. Further north the West Branch Canal connected Bellefonte and Lock Haven with Sunbury.[12]

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[7] James W. Livingood, *The Philadelphia-Baltimore Trade Rivalry, 1780-1860* (Harrisburg, 1947); Ralph D. Gray, "Early History of the Chesapeake and Delaware Canal," *Delaware History*, VIII (March, 1959), 207-264.

[8] Edward Hungerford, *The Story of the Baltimore and Ohio Railroad, 1827-1927*, 2 vol. (New York, 1928), I, 195.

[9] Livingood, *Philadelphia-Baltimore Trade Rivalry*, pp. 29-30.

[10] Seymour Dunbar, *A History of Travel in America*, 4 vol. (Indianapolis, 1915), I, 284.

While Baltimore's Susquehanna canal project progressed slowly, turnpikes and finally the railroad kept the Chesapeake port in contact with the Pennsylvania hinterland to the north. Many of the principal roads and turnpikes of central Pennsylvania made connections at the Pennsylvania-Maryland line with turnpikes such as the York, Reisterstown, and Frederick, which ran northwestward from Baltimore. Stages advertised for Gettysburg and Chambersburg with the added inducement that their travelling time was approximately one-half the time it took the stages to come from Philadelphia.[13] Railroads from both Philadelphia and Baltimore also penetrated central Pennsylvania. The Cumberland Valley Railroad completed between Carlisle and Harrisburg in 1837 joined with the Harrisburg and Lancaster and the Philadelphia and Columbia to link the central counties with Philadelphia. But by 1840 Baltimore also had rail communications with this area via the Baltimore and Susquehanna to York and an extension to Wrightsville on the river.[14]

Related to the excellent communications between Pennsylvania and Maryland was a close economic connection. Early in the eighteenth century, long before Baltimore became northern Maryland's commercial outlet, Philadelphia was of immense economic importance to that area. With the rise of Baltimore a gradual shift took place in which the importance of Philadelphia as a market for northern Maryland products decreased, since obviously these communities would gravitate toward the new urban center close at hand. Besides this urban-rural relationship there is still another force that must be accounted for in any regional study, an inter-urban relationship, in this case between Baltimore and Philadelphia. In short, while Philadelphia may have lost a portion of her hinterland to the younger city, Baltimore itself faced northward and engaged in an inter-urban relationship with Philadelphia.

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[11] Livingood, *Philadelphia-Baltimore Trade Rivalry*, 33-36; Charles B. Trego, *A Geography of Pennsylvania* (Philadelphia, 1843), 157.

[12] Hubertis Cummings, "The Pennsylvania Canals," *Historic Pennsylvania Leaflet No. 1*, Pennsylvania Historical Museum Commission (Harrisburg, 1949), p. 2; Richard I. Shelling, "Philadelphia and the Agitation in 1825 for the Pennsylvania Canal," *Pennsylvania Magazine of History and Biography* (*PMHB*), LXII (1938), pp. 175-204.

[13] Joseph A. Durrenberger, *Turnpikes, A Study of the Toll Road Movement in the Middle Atlantic States and Maryland* (Valdosta, 1931), p. 38; Chambersburg, *Franklin Repository*, March 20, 1810; Baltimore, *Morning Chronicle*, March 1, 1820; *Baltimore Sun*, March 3, 1840.

[14] Livingood, *Philadelphia-Baltimore Trade Rivalry*, 145-147; *Baltimore American*, March 2, 1840; York, *Pennsylvania Republican*, March 4, 1840.

Newspapers published in Pennsylvania and Maryland between 1790 and 1840 provide an excellent indication of the closeness of the two areas. Philadelphia items appeared frequently in Baltimore newspapers and vice versa. In 1790 and 1791 Maryland glass of " excellent quality and much cheaper than imported " was advertised in Philadelphia. The *Baltimore American* in 1810 advertised " Freight wanted for Philadelphia " and a " Sale of books, etc., of James Humphreys, deceased Philadelphia printer and bookseller." Philadelphia newspapers at the same time were advertising, among other things, an auction in Baltimore, a Baltimore proposal for printing a *Journal of Music*, the *Baltimore Directory*, and a Baltimore " want-ad " for brush-makers.[15] Likewise it was common for Philadelphia manufacturers and business establishments to advertise in Baltimore newspapers: R. F. Allen and Company advertised a silk sale, Charles Johnson and Son their printing ink manufactory, and Mortimer and Samuel N. Lewis their commission business.[16] Baltimore milliners went to Philadelphia to procure the newest fashions, and items such as doors, paperhangings, hair powder, clocks, jewelry, fabrics, ladies' shoes, wine and beer were all procured from Philadelphia by Baltimore shopkeepers.[17]

It was also common to find central Pennsylvanians advertising in Baltimore newspapers. John Fisher, a York clockmaker, did so as did Charles Smith of Lancaster who offered to rent a " merchant and saw mill " in Huntingdon.[18] Baltimore merchants likewise utilized local Pennsylvania newspapers for their advertisements. Samuel Frey in 1800 informed his customers in the York area that he was moving his warehouse in Baltimore. In 1810 Magill and Clime recommended their new book and stationery store to the readers of the Chambersburg and York newspapers, George Kaper advertised Russian bristles, and Dorsey's Forge advertised for a laborer.[19] E. I. du Pont de Nemours and Company instructed Bradford and Cooch in 1827 to insert advertisements in the newspapers of York, Chambersburg, and other Pennsylvania interior towns " which naturally trade with Baltimore." [20] A systematic analysis of such advertisements shows rather conclusively Baltimore's interest in central Pennsylvania and vice versa.

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[15] *Baltimore American*, March 6, 1810; March 24, 1810; Philadelphia: *Pennsylvania Packet*, September 24, 1790; July 6, 1791; *True American*, March 1, 1810; *Aurora*, March 23, 1810; March 16, 1810; March 2, 1810.

[16] *Baltimore American*, March 1, 1830; March 17, 1830; March 19, 1830.

[17] Baltimore, *Maryland Journal*, February 7, 1786; April 26, 1791; October 18, 1785; August 26, 1788; January 3, 1794; May 7, 1793; January 4, 1791; March 30, 1795; December 28, 1792; May 8, 1795; *Baltimore Daily Repository*, June 7, 1793; July 31, 1792; *Baltimore American*, March 3, 1810; Baltimore, *Maryland Gazette*, August 24, 1790.

Philadelphia businessmen and artisans often found it advantageous to move to the rising young city to the South, and Philadelphia and Baltimore businessmen were similarly inclined to form partnerships or intimate connections. Robert Oliver of Baltimore depended upon his brother-in-law, John Craig, of Philadelphia to supply him with bank notes, commercial information, and investment suggestions.[21] William Hammond of Baltimore and Levi Hollingsworth of Philadelphia jointly owned a copper works in Frederick County, Maryland, and Baltimore's James Matthews and Philadelphia's John McAllister entered into a partnership in a whip and cane business in Baltimore.[22]

The connections between the inland counties of Pennsylvania and Maryland were further facilitated by the homogeneous character of the settlers of the two areas who were, for the most part, of the same background and lived under similar conditions. Whereas the Germans and English dominated eastern Pennsylvania, the Scotch-Irish were the dominant element in the central and western parts of the state as they were in Maryland's back-country. The divergent interests of rural and urban Pennsylvania affected both the politics and economics of the state and helped to pull central Pennsylvania into a Baltimore sphere of influence. Thomas Paine, in a letter to Daniel Clymer dated September 1786, complained that the back-country members of Pennsylvania's Assembly were uninterested in the activity of the eastern section because they engaged in no commercial intercourse east of the Susquehanna and were entirely within the commercial sphere of Baltimore. Paine later quipped, " they come here to legislate and go there to trade." [23]

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[18] Baltimore, *Maryland Gazette*, September 10, 1790; *Maryland Journal*, June 14, 1793.

[19] *York Recorder*, April 2, 1800; April 14, 1810; Chambersburg, *Franklin Repository*, March 27, 1810.

[20] E. I. du Pont de Nemours and Co. to Bradford and Cooch, Baltimore, August 17, 1827; E. I. du Pont de Nemours and Co. Letterbook, May 30, 1827-April 21, 1829, MSS, Hagley Museum.

[21] Stuart Bruchey, *Robert Oliver, Merchant of Baltimore, 1783-1819,* Johns Hopkins University Studies in Historical and Poltical Science, LXXIV (Baltimore, 1956), *passim.*

[22] Philadelphia, *Pennsylvania Gazette*, September 19, 1781; *Federal Gazette*, March 26, 1800.

The problem of central Pennsylvania's failure to trade with Philadelphia was an old one. When the settlers moved beyond the Susquehanna, Philadelphia merchants assumed that intra-state trade would continue. Furthermore, after the violent border dispute between Pennsylvania and Maryland, they did not expect any Pennsylvanians to deal with Baltimore merchants. The central Pennsylvanians were, however, more disposed to trade with Baltimore since the distance was reduced by half and they could eliminate the costs of ferriage over the Susquehanna.[24] In 1771 a Philadelphia " Friend to Trade " warned that:

> Baltimore town in Maryland has within a few years past carried off from this city [Philadelphia] almost the whole trade of Frederick, York, Bedford, and Cumberland Counties.[25]

By 1800 the *United States Gazette* reported:

> Philadelphia is known to carry on little of the export trade for the counties of Pennsylvania, which lie to the westward of the Susquehanna. Baltimore does much of the business of the South westerly parts of Chester and Lancaster, and nearly all the business of Cumberland, York, and Franklin. The other counties on the Susquehanna, on the east and west branches, Juniata, and Pennscreek, also carry on trade through Baltimore.[26]

The preoccupation of Baltimore with the Susquehanna Valley was so great that even Philadelphians sometimes questioned the inclusion of the central counties within Pennsylvania. In 1830 a correspondent of the *U. S. Gazette* asked the question, "whether Baltimore be in Pennsylvania or not?" The editor of the *York Republican* answered:

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[23] Philip S. Foner, *The Complete Writings of Thomas Paine* (New York, 1945), pp. 434, 1256.

[24] St. George L. Sioussat, " Highway Legislation in Maryland and Its Influence on the Economic Development of the State," *Maryland Geological Survey* (Baltimore, 1899), III, 131-132.

[25] Charles H. Lincoln, *The Revolutionary Movement in Pennsylvania* (Philadelphia, 1901), 65.

[26] Philadelphia, *Gazette of the United States*, May 1, 1800.

> We cannot say that Baltimore is in Pennsylvania, but we can say, that York ought to be in Maryland, judging from the language of Philadelphians to her. The people of York cannot trade with Philadelphia more than they do: They sell their produce in Baltimore, and buy their goods in Philadelphia; yet, forsooth, those who claim to be our masters, are not satisfied, because we will not haul our marketing double the distance, pay double the tolls and then give them away. Ask your correspondent, Gentlemen, if he ever read the fable of the boy and the filberts.[27]

Baltimore interest did not stop at the Juniata but extended into the more northern reaches of central Pennsylvania. Iron, furs, and skins were shipped down the river to Middletown where many were sent via the Susquehanna to Baltimore. Large amounts of timber were also sent down the river from northern Pennsylvania to Baltimore.[28] General John Burrows of Lycoming County in northern Pennsylvania wrote in 1837 that he had sold in Baltimore the surplus produce from his farm for almost four thousand dollars "and besides feed, grain, meat, and bread."[29]

There were also strong cultural ties which bound Maryland to Pennsylvania and gave them a common personality. The excellence of its eighteenth century schools, for example, made Philadelphia a Mecca for students from New Jersey, Delaware, and Maryland. In 1754 "Philo Marylandus" complained in the *Maryland Gazette* that at least 100 Marylanders were enrolled in the Academy at Philadelphia.[30] Between 1757 and the Revolution about 210 young men matriculated at the College of Philadelphia and of these thirty-six were from Maryland.[31] Between 1790 and 1840 Baltimore and Maryland in general, continued to send a considerable number of students to college in Philadelphia. Maryland's Western

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[27] *York Republican*, March 16, 1830.

[28] Arthur C. Bining, "Iron Plantations of Early Pennsylvania," *PMHB*, LVII (1933), 131-132.

[29] "Autobiographical Sketch of the Life of General John Burrows of Lycoming County," *PMHB*, XXXIV (1910), 434-435.

[30] Annapolis, *Maryland Gazette*, March 21, 1754.

[31] Carl and Jessica Bridenbaugh, *Rebels and Gentlemen, Philadelphia in the Age of Franklin* (New York, 1942), p. 63. Eighty-six students came from Philadelphia, 37 from other parts of Pennsylvania, 36 from Maryland, and the remainder from Delaware, New Jersey, New York, and North Carolina.

Shore, in fact, provided more students than did the Eastern Shore of Maryland, Delaware, or the remainder of Pennsylvania beyond Philadelphia's neighboring counties.[32] Philadelphians also went to Baltimore for training. During the school year 1835-36 and again during 1840-41, there were more students from Philadelphia enrolled at Baltimore's St. Mary's College than from Maryland's Eastern Shore, Delaware, or from the remainder of Pennsylvania.[33] Close educational ties were thus maintained between the Chesapeake and the Delaware.

In the realm of the decorative arts, too, there was a substantial crisscrossing of Philadelphia and Baltimore influences. During the Queen Anne and Chippendale periods, when Philadelphia cabinetmaking was at its height, both Maryland and New Jersey furniture shared the character of the Philadelphia school. Baltimore cabinetmakers reached their excellence late in the eighteenth century. Following Hepplewhite's *The Cabinet-Maker and Upholster's Guide* (London, 1788) and Sheraton's *The Cabinet-Maker and Upholsterer's Drawing-Book* (London, 1791-94), Baltimore entered its noonday of furniture production by executing pieces that influenced cabinetmakers of Pennsylvania and are still treasured for their lightness, delicacy, and chaste ornament. This artistic achievement coincided with Baltimore's burst of economic prosperity at the turn of the century.[34] Although many Baltimore cabinetmakers came directly from England, occasionally they moved there from Philadelphia. Gerrand Hopkins of Philadelphia, for example, opened a shop on Gay Street in Baltimore and advertised in the *Maryland Journal* until 1793 when he formed the partnership of Hopkins and Harris.[35]

Further elegance was added to life on the Chesapeake by Baltimore patrons looking directly to the Philadelphia craftsmen. Before Baltimore became a cultural center in her own right, Philadelphia was the logical place to secure the services of a silversmith, clockmaker, or portrait painter. By 1790 the market looked so good in Baltimore that some enterprising Philadelphia craftsmen left the older city for the younger. Silversmiths and jewelers like Nicholas Brooks and Jeremiah Andrews came.[36] Others moved like William Ball, the son of a Philadelphia goldsmith of the same name; the clock and watchmakers, Emmor Bailey, John Jackson, and David Evans came to Baltimore from Philadelphia shortly after 1800. In 1795 Leslie and Price, Philadelphia watch and clockmakers, announced a partnership with Abraham Patton who was opening a business in Baltimore. Baltimoreans also patronized such men as Henry Elonis, a limner who travelled between the two cities, and John Mason, an upholsterer from Philadelphia.[37] It was natural too for young Marylanders of ambition and talent, such as Charles Willson Peale, to seek their fortunes in Philadelphia. Between 1769 and 1773 Peale made at least one visit to Philadelphia each year and moved there in 1776. Baltimoreans expressed interest in his museum in Philadelphia, and, although the first attempt was short lived, Peale's sons, Raphaelle and Rembrandt were sent to Baltimore to set up a similar establishment. While in Baltimore, Raphaelle frequently advertised in Philadelphia newspapers his talent as a protrait painter.[38]

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[32] Society of the Alumni, University of Pennsylvania, *Matriculates of the College, 1749-1893* (Philadelphia, 1894).

[33] St. Mary's College, Baltimore, *1835-36 Catalogue, 1840-41 Catalogue*, Md. Hist. Soc.

[34] Joseph Downs, *American Furniture, Queen Anne and Chippendale Periods in the Henry Francis DuPont Winterthur Museum* (New York, 1952), xxvi; Baltimore Museum of Art, *Baltimore Furniture, 1760-1810* (Baltimore, 1947), *passim.*

[35] Baltimore, *Maryland Journal*, April 30, 1793.

In the printing and publishing trades, Baltimore likewise looked to Philadelphia for a supply of young craftsmen. Early Baltimore saw Nicholas Hasselbach and William Goddard of Philadelphia establish a printing business and Baltimore's first newspaper, respectively.[39] Until the latter development in 1773, Baltimoreans were entirely dependent upon Annapolis and Philadelphia newspapers. Other Philadelphia printers later established themselves in Baltimore—David Graham in 1791, Samuel Sauer in 1792, Hezekiah Niles in 1805, and Arunah S. Abell in 1837. Similarly,

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[36] *Ibid.*, August 28-September 4, 1773; December 17, 1784; Philadelphia, *Pennsylvania Packet*, July 31, 1775; May 23, 1780.

[37] Balitmore, *Maryland Journal*, October 8, 1790; August 20, 1773; August 16, 1791; June 14, 1791; *Baltimore Daily Repository*, May 13, 1793; *Federal Intelligencer*, November 13, 1795; Philadelphia, *General Advertiser*, February 21, 1792; *Pennsylvania Packet*, July 21, 1792; August 16, 1792; *Federal Gazette*, April 19, 1794; George H. Eckhardt, *Pennsylvania Clocks and Clockmakers* (New York, 1955), 38, 216.

[38] Charles Coleman Sellers, *Charles Willson Peale* (Philadelphia, 1947), I, 95-96; Baltimore, *Maryland Gazette*, February 15, 1791; *Maryland Journal*, January 31, 1792; Philadelphia, *Pennsylvania Packet*, January 30, 1797; May 15, 1797; February 12, 1799; December 3, 1800; *Federal Gazette*, June 16, 1800; September 11, 1800.

[39] J. Thomas Scharf, *History of Baltimore City and County* (Philadelphia, 1881), p. 605; Dieter Cunz, *The Maryland Germans* (Princeton, 1948), p. 111.

Fielding Lucas Jr. departed Philadelphia for Baltimore in 1803 and within seven years had risen to become one of the nation's excellent book and map sellers and publishers.[40] It is interesting to note, moreover, that Robert Walsh, a young Baltimore writer, looked to Philadelphia in 1809 to find a publisher for his anti-Gallician pamphlet, *A Letter on the Genius and Dispositions of the French Government.*[41]

Churches forged still another link in the chain binding Baltimore to Philadelphia. The Philadelphia-Baltimore area was the center of Methodism in the colonies and although the first American Methodist conferences were held in Philadelphia, Baltimore became the meeting place in 1776. Here the very important formative Christmas Conference was held in 1784-1785. Philadelphia, Trenton, and New York did not have conferences of their own until 1789.[42] The Baltimore Quakers, on the other hand, received support from their brethren in Philadelphia, and the Maryland Friends were actually a part of the Philadelphia Yearly Meeting until 1788 even though a yearly meeting met in Baltimore in 1785. When the split occurred in 1827 between the Hicksite and Orthodox Quakers, the Baltimoreans followed the Middle Atlantic trend of Hicksite teaching, while no split occurred in either the South or in New England.[43] Baltimore Baptists, Lutherans, and Presbyterians were also closely allied to their respective churches in Philadelphia. Indeed the Maryland Presbyterians were, until 1854, under the jurisdiction of the Synod of Philadelphia.[44]

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[40] Baltimore, *Maryland Journal*, June 24, 1791; Louis P. Henninghausen, *History of the German Society of Maryland* (Baltimore, 1909), p. 47; Scharf, *History of Baltimore*, p. 617; for Lucas, see James W. Foster, *Fielding Lucas, Jr. . . .* (Worcester, 1956).

[41] Sister M. Frederick Lochemes, *Robert Walsh* (Washington, 1941), pp. 56-58.

[42] See: James M. Buckley, *A History of Methodism in the United States* (New York, 1897); James E. Armstrong, *History of the Old Baltimore Conference* (Baltimore, 1907); also N. C. Hughes, Jr., "The Methodist Christmas Conference: Baltimore . . .," *Md. Hist. Mag.*, XLIV (Sept., 1959), 272-292.

[43] See: James Bowden, *The History of the Society of Friends in America* (London, 1850); Anne B. Thomas, *The Story of the Baltimore Yearly Meeting, 1672-1938* (Baltimore, n. d.).

[44] Robert C. Torbert, *A Social History of the Philadelphia Baptist Association, 1707-1940* (Philadelphia, 1944); Ernest L. Hazelius, *History of the American Lutheran Church, 1685-1842* (Zanesville, 1846); Cunz, *The Maryland Germans*; J. L. Vallandingham and Samuel A. Gayley, *History of the Presbytery of New Castle* (Philadelphia, n. d.); John P. Carter, *Historical Sketch of the Synod of Baltimore* (Baltimore, 1889); Joseph M. Wilson, *The Presbyterian Historical Almanac and Annual Remembrance of the Church for 1858-59* (Philadelphia, 1859), p. 74.

Further evidence of Baltimore looking northward can be found in the church organization of rural Pennsylvania. Within the Baltimore conference of the Methodist Church there were in 1789 several central and western Pennsylvania circuits. While some of these were transferred to Philadelphia early in the nineteenth century, the Susquehanna District was created as part of the Baltimore Conference, and by 1820 the Baltimore Conference added the Mishannon, Chambersburg, Somerset, and York circuits. The Society of Friends were also responsible for the spread of Baltimore influence in central Pennsylvania. In 1790 the newly established meetings there were transferred to the Baltimore Yearly Meeting. Baltimore Presbyterians also looked northward to include York within their Presbytery.[45]

Philadelphia and Baltimore were, then, bound together by direct contacts, cultural interchange and their urban-rural relationships with an overlapping hinterland. Natural features in common, such as location on the fall line, and a mutual reliance on grain as a staple aided the kinship as did the constant movement of businessmen, politicians, lawyers, students, artists and craftsmen between the two cities. It was an essential characteristic of the metamorphosis from an agrarian to a business economy that Baltimore's business should expand and compete with that of Philadelphia. Although this rivalry may have provided a source of contention between the merchants of Philadelphia and Baltimore, its very existence reveals the regional interdependence of the two cities. It was indeed significant that it was to the backcountry of Pennsylvania that expanding Baltimore looked for a hinterland rather than to Virginia. Although it cannot be said that Philadelphia played a negligible role west of the Susquehanna or that the South played a negligible role in Maryland, Baltimore influence was stronger in central Pennsylvania than it was in any other area outside the boundaries of Maryland, and Philadelphia influence was stronger in Baltimore than any other outside force. Indeed, Philadelphia influenced Baltimore more than it did any other area, with the obvious exception of the adjacent counties of Pennsylvania and New Jersey and northern Delaware. Even when allowances are made for occasional contradictions and historical hindsight, a Middle Atlantic orientation must be acknowledged for Baltimore and for a large portion of Maryland.

[45] Armstrong, *Old Baltimore Conference*; Thomas, *Baltimore Yearly Meeting*, pp. 47-48; Vallandingham and Gayley, *Presbytery of New Castle*, p. 9.

THE WORK OF CHARLES-HONORÉ LANNUIER, FRENCH CABINET-MAKER IN NEW YORK

By Lorraine W. Pearce

IN 1804, *Longworth's New York City Directory* carried for the first time the notice: "Lannuier, Henry, cabinetmaker, 60 Broad"; a notice to be repeated every year until 1819. This is the first recorded presence in the city of a twenty-six year old craftsman from Paris, trained in the distinguished tradition of French *ébénisterie*: Charles-Honoré Lannuier, or Henry Lannuier, as he was more briefly known in New York.[1] This young cabinet-maker became a leader in the production of fashionable furniture for New Yorkers and through his knowledge of French skills and styles helped to create the Empire style in New York city. The body of furniture now known to have been made by Lannuier is interesting and important, in itself, as it clarifies the development of both the style and technique of a talented craftsman, and for its relationship to existing tradition in France and changing styles in America.

Of the personal life of Charles-Honoré Lannuier, very little is known. He was one of nine children, the youngest son born to Michel Cyrille Lannuier and his wife Marie-Geneviève, in the town of Chantilly, forty miles north of Paris, on June 27, 1779.[2]

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[1] Cabinetmaking in the French sense refers specifically to the veneering of furniture. The fashion for veneered furniture apparently began with the use of *ébène* or ebony, hence the origin of the word. A furniture maker who does not veneer is known in France as a *menuisier* (joiner), and there are specific titles also for men who did nothing else but turn, carve, gild, or paint furniture.

[2] Five baptismal certificates for Lannuier children are still preserved in the parish registers of the Chantilly city-hall. They are for Thérèse Julie (1771), Angélique Justine (1772), François Casimir (1775), Jean Stanislas (1776), and Charles-Honoré Lannuier (1779). Copies of these certificates were sent to me on May 20, 1957 and are in my possession. The names of the remaining children, Victor Stanislas, Maximilien Auguste, Nicolas-Louis Cyrille, and Etienne Magloire, appear in other legal documents that concern the Lannuiers. A tenth child of Michel Cyrille Lannuier, a daughter whose name is unknown, was born to him and his second wife after 1781. This half-sister is remembered in Charles-Honoré's will made in 1819 in New York.

It should be noted that Lannuier is not by any means a common name, nor are the

Chantilly was known then, as now, for its cream, lace, and medieval fortress of Montmorency, later embellished and called a château by the princely and art-loving Condé family, and today the Musée Condé. This landmark of Chantilly was undoubtedly important in the life of the Lannuier family and gave employment to Charles-Honoré's elder brother Nicolas Lannuier, cabinetmaker, who is known to have supplied some of the château's furnishings.[3] A friend of the Lannuier family, Noel Baufre, was a master joiner, (*maître menuisier*), and it was certainly from these two men that Charles-Honoré learned his skills. How masterful were the skills of Nicolas, and for this reason, how excellent the training of the boy, are revealed in the several existing examples recorded by him. Three are illustrated in Jean Nicolay's *L'Art et La Manière des Maîtres Ebénistes au XVIII Siècle*, a commode is exhibited at the Musée des Arts Décoratifs, one splendid desk owned by French and Company of New York, and one or more other pieces are known to French writers but not illustrated in any published source. These pieces display all the talents of the master cabinetmaker: the skillfully made form—conceived both as an object of necessity and of beauty; intricate veneer and marquetry; and the addition of contrasting ornament,—marble, ormolu, and porcelain. In the work of Nicolas Lannuier are foreshadowed the best features of his brother's work; virtuosity in the handling of wood, the masterful interpretation of style, the patient attention to details of finishing, and above all a superb unity of decoration and form.

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names which recur in the family genealogy: Casimir, Stanislas, Maximilien, and Auguste, typical given names. Nothing more is known about the Lannuier family in Chantilly and it is possible that they emigrated to France from some other European country, Poland, perhaps, or Austria. There was an influx of middle-European cabinetmakers to France after the marriage of the future Louis XVI to the Austrian princess Marie-Antoinette in 1770, and the Lannuiers may have come at that time. It is interesting to note that the first birth recorded in Chantilly is 1771. The family had contacts in Paris; the elder sons were working there in the 1780's, and by 1791 all the members had removed there. It was probably in that year that twelve year old Charles-Honoré began his training.

[3] Nicolas Lannuier is listed as a cabinetmaker and the brother of Charles-Honoré in the record of a hearing (*procès-verbal*), of June 10, 1793. (Archives de la Seine, records of the Justice de Paix, 10^e arrondissement ancien, D 11U1, carton 26). A copy made at the Bibliothèque Nationale is at the Joseph Downs Manuscript Library, Winterthur Museum. He was at least 25 years of age at that time (he is listed as of legal age, 25 in France) and was probably at least 8 years older. He is known to have been admitted to the guild of master-cabinetmakers of Paris, on July 23, 1783, and it was rare for a master to be less than legal age when admitted. The very few details known about Nicolas Lannuier including his manufacture of furniture for the Château of Chantilly, first appeared on Francois Salverte, *Les Ebénistes du XVIII*

Two other brothers of Charles-Honoré figure in his own story. These were Maximilien Auguste and Jean Stanislas Lannuier, both of whom were in New York city in the early 1800's, and probably came here in 1799. Both were associated in a confectionery business for a short time but the premature death of Jean Stanislas from yellow fever in 1805 cut short his career in the New World. Maximilien Auguste was for some years active in New York's Tammany Society and a Mason in the French Lodge until his death in 1811. These two men may have aroused the motive which brought Charles-Honoré to this country or, indeed, he may have accompanied them. However, as the first recorded date of his presence in New York—1804—coincides with the last recorded working date of Nicolas in Paris, it seems plausible to assume that these two dates are in some manner connected. Perhaps Nicolas' death or business failure in 1804 persuaded Charles-Honoré to seek new horizons by joining his brothers in America.

To New York, then, he came, and established his home and workshop in a roomy property at 60 Broad Street: " that spacious and pleasant street running from the Old City Hall to the water." [4] Broad Street was the heart of New York's cabinetmaking district, where the newly arrived cabinetmaker could easily compare and compete with prevailing styles. His house, later described in a number of legal documents, was first rented, and then purchased outright on October 31, 1810 for the sum of $5,900.[5] For the next fifteen years Lannuier's fortunes increased with those of the expanding port to which he had come: a city rapidly becoming the center of America's trade and commerce, described by one English traveller as " the Tyre of the New World." [6]

New York was indeed a thriving center of industry at Lannuier's arrival. The population of 60,515 in 1800 increased to 96,400 by

Siècle (Paris, 1934) and are repeated with illustrations in Jean Nicolay, *L'Art et La Manière des Maîtres Ebénistes au XVIII Siècle* (Paris, 1956).

[4] *Longworth's American Almanac, New York Register, and City Directory* (New York, 1805), p. 74.

[5] New York Hall of Records, Register's Office, Room 205. Liber of Conveyances 91, p. 470 and Liber 288, p. 274. The property had 24½ feet frontage on Broad Street, including half of a four foot alley, and was 70 feet deep. It is stated in the second liber that the family dwelling was in the front of the building and the shop in the rear. In 1833, a third share of the property was sold by Lannuier's son, for $6,566, itself more than the original price of the entire house and an index to increasing real estate values in New York.

[6] John Lambert, *Travels Through Canada and the United States of North America in the Years 1806, 1807 and 1808,* 2 vol. (London, 1814), I, 62.

1810, outstripping Philadelphia and leading the country for the first time. John Lambert, the visitor quoted above, noted that " the people were scampering in all directions to trade with each other, and to ship off their purchases for the European, Asian, African and West Indian markets." " Everything was in motion: " he commented, " all was life, bustle and activity." [7] Among this activity fortunes were made, and, indeed, the wealth realized by New York business in this period is one of the factors to be considered in evaluating the importance of the city as a center of cabinetmaking. New fortunes needed new homes and fine furniture. Merchants had both town houses in the downtown section of New York and country estates further up the island. In voyaging up the East River in 1806 John Melish, another early nineteenth century English traveller, noted that the " banks on each side, . . . [are] adorned with many elegant villas, belonging chiefly to the merchants of New York." [8]

New buildings of all sorts created a market for cabinetwork in New York. Private homes, theatres, eating places, and boarding houses, all required furniture. Public buildings, like the new City Hall built between 1803 and 1812, drew upon the skills of the cabinetmaker. Finally, New Yorkers moved frequently and often refurnished, or, at least, replenished each new home. The city had over 150 cabinetmakers who fulfilled this demand between 1800 and 1820, and it is clear that it was an appropriate milieu for the talents of Charles-Honoré Lannuier.[9]

Two other factors must be explored before discussing the distinctive qualities of the work of Charles-Honoré Lannuier: that is, what styles of furniture was he capable of creating and what modes prevailed in New York upon his arrival? A blanket answer to both these questions would be " Classical," but the variations upon this style are usually called " Louis XVI " in France, "Adam," " Hepplewhite " or " Sheraton " in England and recently " Federal " in America. The style with which Lannuier was most familiar was, of course, the French Louis XVI, associated with the name of the king, because it reached its *apogée* in his reign. The Classical style is, in general, based upon " classic " sources of design, after Greek and Roman models brought to light in the excavations of ancient cities like Pompeii and Herculaneum. It came to favor as a reaction to the flights of the preceding " rococo " style, based chiefly on natural forms such as rocks and shells, and sought again ancient rules of harmony, balance, and proportion, accented with decorative devices also employed by the ancients. In France this style expressed itself in furniture that is light and graceful in form and decorated with carved, inlaid, or more popularly, applied ormolu decoration, based on Greek and Roman patterns; wreaths and rosettes, acanthus leaves and trailing anthemia, Greek key frets and dart moldings, sunbursts and sheaves of wheat, masks and figures of classical mythology.

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[7] *Ibid.*, I, 64.

[8] John Melish, *Travels Through the United States of America in the Years 1806 and 1807, and 1809, 1810 and 1811,* 2 vol., 2d ed. (Phil., 1815), I, 67.

[9] This figure was reached by a study based particularly on New York newspapers and directories of the period. The names of 154 men engaged in the production of furniture are known to me, and from further research done since that time I am convinced that the figure is most conservative and was undoubtedly twice as large.

This style was followed closely by the Empire style, named for Napoleon's rule, but originating in Revolutionary France of the late 18th century. The new style was related to the Classical in its similarly " classic " sources; it used the same decorative motifs and mounts, but applied them instead to more massive, more architectural furniture specifically based on ancient models: to chairs and tables supported by Egyptian sphinxes or Greek and Roman caryatids, and to chests and beds resting on animal-paw or dolphin feet, stained green to resemble the verdigris of excavated furniture. Nicolas Lannuier's known work is in the Louis XVI and early Empire style; similarly, Charles-Honoré Lannuier was well acquainted with, and ready to meet demands for, fine furniture in both the Louis XVI and Empire styles.

In New York in 1800, the Classical style held full sway; the furniture was based more directly, though, on English models created by the architect and decorator Robert Adam and the designers George Hepplewhite and Thomas Sheraton. Delicate chairs with shield shaped backs, graceful serpentine sideboards, elegantly inlaid tables and desks of many varieties, were all made in this style. This was the type of furniture popular in New York city when Lannuier arrived there; his competitor Duncan Phyfe whose name is most frequently associated with this style in New York, was at that very time establishing his own workshop on Partition Street.[10] And for a time Lannuier followed this style, interpreting it always with a distinctively French touch in form and decoration, winning his share of clients, and working soon after in the fully developed Empire style which captured New York and radiated swiftly to all the cities of the Eastern seaboard. His patrons in New York, from his very first years in the city, included the oldest and wealthiest names of the area: Morris, Van Rensselaer, Stuyvesant, Pierrepont, and Pearsall, as well as the city of New York itself, for whom he made a set of chairs for the City Council Room of the new City Hall in 1812.[11] This would seem to reflect Lannuier's growing popularity, his custom techniques, and his fashionable " latest " styles. And his furniture travelled further afield; to the Van Rensselaer Mansion at Albany, to Philadelphia, to Baltimore, to Savannah, and even to the West Indies.[12]

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[10] See Nancy McClelland, *Duncan Phyfe and the English Regency* (New York, 1939). The Phyfe family came from Scotland to America and settled in Albany in

Until recently the known work of Charles-Honoré Lannuier was so limited that it was impossible to speak of the characteristics of his style with any measure of exactness. Fortunately, some fifty examples of his work have now come to light: enough to permit an evaluation of his techniques and abilities. Of course, only a thorough familiarity with as many forms as possible known to have been made by Lannuier can permit one to make any conclusion about the characteristic qualities of his work. It is hoped that the several photographs illustrating this explanation will permit the reader to acquaint himself with Lannuier's manner and to recognize some of the distinctive features of his cabinetwork.

Charles-Honoré Lannuier employed virtually all the techniques of the highly skilled cabinetmaker. Beneath the finely detailed and finished exterior of every object he made is a soundly constructed frame. The construction rarely relies on nails but uses dovetailing and mortise and tenon joints, so well fitted as to be all but invisible. Lannuier finished most of his pieces of furniture on all four sides

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1784. Duncan Phyfe worked first as a cabinetmaker in Albany, coming to New York about 1790. After trying several locations, including Broad Street, he settled on Partition (later Fulton) Street about 1804, where he made and supervised the manufacture of furniture in a large workshop for some fifty years until his death in 1856.

[11] These chairs are not known to exist at the present time but the bill for them is recorded in the Minutes of the Common Council of New York.

[12] The inventory of Lannuier's shop made after his death in 1819 included a consignment of $534 worth of furniture for " Trinidad de Cuba," then an important coffee port on the southern coast of the island, and " furniture sent to A. S. Bullock of Savanah [sic] . . . 2401.25." The inventory is at the Downs Manuscript Library, Winterthur Museum.

whether or not they would be seen from all sides. It is characteristic of most cabinetmakers to leave unfinished the back of a bed or pier table that is intended to be placed against a wall. Not so Lannuier. Though it was more costly and not at all imperative to do so, the backs of his beds and pier tables are veneered as carefully as the other three sides and will usually continue the line of metal inlay or decoration that marks the front. Thus, like an object of beautiful sculpture, they may be viewed from any side.

One is never conscious of the construction of a piece of Lannuier furniture because the constructed and the stylistic forms have been so perfectly integrated. Lannuier was not only a superior craftsman, but an artist who saw the greatest aesthetic potentialities of his work and, in choosing to make use of them, achieved a work of art in every piece of usable furniture. A mark of Lannuier's respect for his calling is seen in his construction of card tables. Card tables were often made with a fifth leg which swings around to hold the extended top. When the top is closed, however, the fifth leg gives the table an ungainly look. Lannuier chose the more difficult solution; he constructed his card tables so that the extended top will always rest on some part of the original framing. In the card table at the Henry Francis du Pont Winterthur Museum (Fig. 1), the back legs pull out of the frame on sliding supports, which hold the top when open. The tops of Lannuier's card tables supported by winged caryatids (Figures 2 and 3), swing around in a 270° arc and, again, rest on their own underframing. This is also a French characteristic of Lannuier's work; French tables rarely, if ever, have a fifth leg, but rely on some inner means of support.

It is interesting to note that Lannuier appears to have specialized in making tables. He could, and did, make other beautiful forms; the magnificent beds at the Bartow Mansion in New York, and the Albany Institute of History and Art are but two examples of this fact. However, among his known work there is a preponderance of tables, especially card tables and pier tables. This may be partly explained through Lannuier's training. His brother Nicolas is at present not known to have made anything but case pieces: desks, tables, or commodes. This is fully consistent with French tradition, as an *ébéniste* tended to make case pieces, which offer surfaces large enough to be veneered. These would not necessarily all be tables, however, and it may be merely that

Lannuier's tables most suited the popular demand of the time or were thought most worthy of preservation. Time, and a still greater body of Lannuier furniture for study will be necessary to test this hypothesis.

A word must be said about the woods used by Lannuier. The excellence of construction and finishing, the types of furniture made by him, and his style of decoration are all more certain indications of his hand than the woods he used, but they are, nevertheless important. As mahogany was the most popular wood of the Classical and Empire periods in America, most of Lannuier's work is veneered in mahogany. Only the choice of the best veneers, especially rich in color or figure, can be considered distinctive, and the occurrence of mahogany also as a secondary wood (e. g. the underframing of tables, the drawer linings of chests, the inner rails of beds, etc.). Mahogany as a secondary wood is uncommon; it was too costly and unnecessary in " hidden " portions of furniture, and pine, tulip, cedar, or other native products were substituted for the imported wood. It occurs frequently enough in Lannuier's furniture, however, to be considered distinctive of his work.

The use of rarer and more unusual woods as well as rich mahogany may also be considered typical of Lannuier, particularly when used at an early date. The rosewood and ebony inlay on a small satinwood nighttable at the Winterthur Museum, for example, dating about 1805, is appropriate for the style-conscious cabinetmaker, although rosewood was not employed with any frequency in New York before 1820 and is usually associated with Victorian modes after 1840. Two superb Empire pier tables by him (at the Metropolitan and Brooklyn Museums) dating probably after 1810, are made entirely of rosewood. Finally, there is the use of bird's eye maple veneer. Bird's eye maple (*l'érable moucheté*), was one of the most favored woods for Empire furniture in France. Lannuier used it more sparingly but with as great effect. His bed at the Albany Institute, for example, is a splendid example of such veneer, with the elegant contrast of color and texture of amber maple panelled side rails against head and foot boards of dark swirling mahogany.

An unfailing characteristic of Lannuier's work involves his sense of good design and proportion in furniture. The examples illustrated here of Lannuier's work in the Classical and Empire styles illuminate this point. The Winterthur Museum card table (Fig. 1), and its twin at the Metropolitan Museum are graceful interpretations of the Louis XVI style. This style at its best is exceedingly light and delicate, but only the most skillful cabinetmaker could achieve this effect in a functional object such as a table. Lannuier gave this table an especially poised look by using fluted tapering legs to achieve a feeling of lightness. The width of the skirt is proportioned to the length of the legs in a subtle manner, producing an appearance of stability tempered by grace. A note of contrast in color and texture is struck by the ormolu mounts; the center ornament, fittingly depicting a god of classical mythology framed on either side by a Greek palmette, is nicely scaled to the size of the table, and the two small wreaths at either corner repeat and relate the curved turnings of the legs to the round candleholders of the table top.[13] This same tall slender appearance, usually brought about by reeding or fluting of tapering legs, and contrasting inlaid or applied ornament, mark all of Lannuier's work in the Classical style.

In interpreting the Empire style Lannuier again proved himself a master of the art of cabinetmaking. The key to the finest expression of this style is a feeling of strength and dignity achieved by skillful use of wood and ornament: the latter including marble, mirror, and ormolu. The full body of Lannuier's work includes all these features; for the purpose of this essay, one table in the Empire style, made originally for Stephen Van Rensselaer, the last Patroon of the Manor, and now at the Albany Institute of History and Art is illustrated in Figure 2. This labelled example is one of some half dozen signed pieces very similar in form, different only in details of finishing and ornament. It seems to have been one of Lannuier's most popular and creative patterns and at this moment no similar work is known by any other American cabinetmaker.

It is made of highly figured mahogany, neatly finished and rewarding to look at from all sides. Indeed, this is one of Lannuier's most dramatic uses of the caryatid figure. Seen from the side the winged woman appears to be in flight and gives an amazing sense of vitality and motion to an essentially earthbound

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[13] *or molu*, literally "molded gold," is the French term describing objects of gilt brass. The gilt of true ormolu, was a bath of real gold, fused or bonded to the brass beneath with mercury, which gave it is distinctive brilliance.

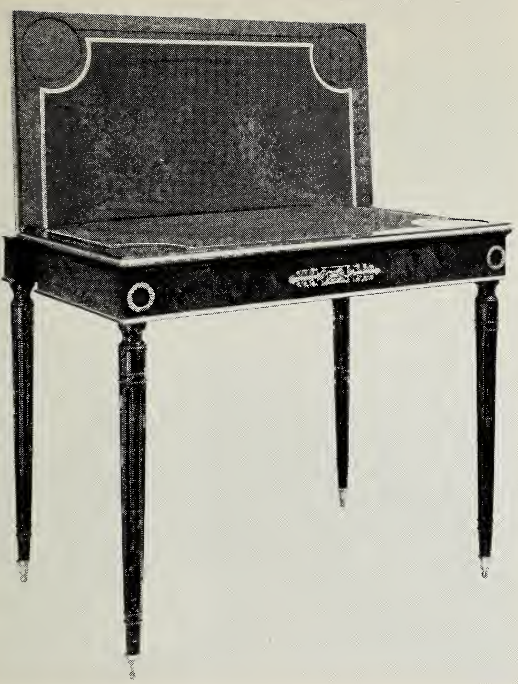

Fig. 1. Card table in the Classical or Louis XVI style, labeled and stamped by Charles-Honoré Lannuier. Mahogany with ornmolu mounts, 1804-1810. Courtesy of the Henry Francis Dupont Winterthur Museum.

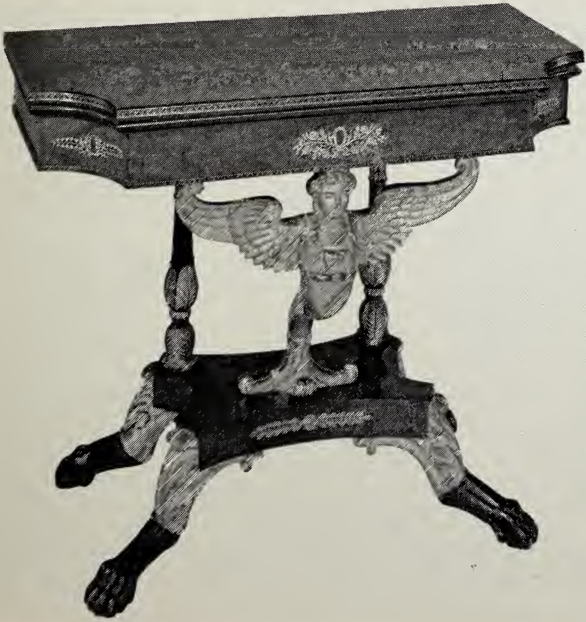

Fig. 2. Card table in the Empire style labeled by Lannuier, one of a pair which belongd originally to Stephen Van Rensselaer of Albany. Mahogany with gilt caryatid and ormolu mounts, c. 1810. Courtesy of the Albany Institute of History and Art.

object. It is important to note also in this table as in many others that Lannuier used purposeful ornament; the animal paw feet with acanthus leaf carving support the base of the table, while the winged female caryatid and lotus-like columns actually support the top. Too often, meaningless columns and caryatids were introduced into Empire furniture. Lannuier understood that their real purpose, as in architecture, is to support weight. The caryatids of many varieties which support his superb card and pier tables fulfill both a structural and decorative function. Furthermore, these caryatids, usually gilt, whether imported from France or carved in Lannuier's shop have at this moment not been associated with the name of any other cabinetmaker and are a distinctive feature of his work.[14] As in his Classical furniture Lannuier introduces also smaller decorative motifs to contrast and relieve the larger shapes. The central ormolu mount of crossed rose branches and the smaller stylized bands of leaves at the corners and base are necessary resting points for the eye, otherwise fatigued by plain wood surfaces, and complete the artistic integration of form and decoration.

The similarity of the table shown in Figure 3 will be noted immediately upon comparing with the Albany card table of Figure 2, discussed above. This card table, also one of a pair, is part of a splendid ensemble of Empire furniture at the Maryland Historical Society. The set consists of these two tables, two arm chairs, two side chairs, and two settees (Figs. 3, 4, 5, 6), which were all originally owned by James Bosley,[15] Baltimore merchant and shipper of the early 19th century, and given to the Society by his nephew James Bosley Noel Wyatt. Whether Mr. Bosley purchased the furniture in New York or imported it himself is unknown; either alternative is possible. On the basis of the distinctive features of this set, it is now attributed to Charles-Honoré Lannuier. Happily, the furniture has remained in Baltimore and is at this writing, the only work of Lannuier known in the city.

[14] John or Jean Lannuier, Charles-Honoré's nephew, and son of Maximilien Auguste, was listed as "Lannuier, John, carver, 69 Eldridge," in *Longworth's Directory* of 1820-1821. Following the French tradition he may have first been apprenticed to his uncle and worked in his shop. In that event he may have carved the caryatids in question.

[15] James Bosley (c. 1779-1843), of Fayette and Calvert Streets, Baltimore. He married Elizabeth Noel in 1822. A third armchair, presented to the Maryland Historical Society by Mrs. Gerald Hoare-Smith, was recently added to the ensemble. It, too, belonged originally to James Bosley, and was given by his nephew, James Bosley Noel Wyatt, to William Nolting, the father of the donor.

The similarity of the two tables, is, it is hoped, almost too striking, to need further comment, particularly when one recalls that Lannuier alone is known to have signed other virtually identical examples. The form of the base, the top, the columnar supports, and winged caryatids, are closely related to Figure 2. And happily enough the applied central mount of a classical figure is identical to that on the Classical card table (Cf. Fig. 1). This additionally conclusive feature is important also in illustrating the hypothesis noted earlier of the continuity of decoration in the Classical and Empire styles. The band of metal inlay which rims the top of the card table is another distinctive feature of Lannuier's work, to be discussed below. The settee shows again the characteristic winged caryatids at either side, and relates to other features of signed Lannuier furniture as well. Black and gilt dolphin feet, for example, support the bed at the Albany Institute discussed earlier, and columns like those at the back, ringed with ormolu at top and base appear on many objects including the bed at Bartow Mansion, and a dressing chest owned by Mr. and Mrs. John E. McCracken of New York.

The chairs (Figs. 5 and 6) repeat the distinctive decorative features of the tables and settees. The caryatids support the arm rests, while ormolu rosettes rest in the corners of the curved seat rail, a device used also in the front of each arm rest on the settees. A gleaming ormolu mount, a bow knot with crossed branches of roses ornaments the crest rail, a mount identical to that on the labelled card table of Figure 2, and framed by two delicate lines of metal inlay. The side chair has also a tiny band of metal inlay in an unusual fleur-de-lis pattern, above the strings of the lyre splat; this band is missing from the armchair but has left an identical impress there. This superb group includes the only chairs and settees which can presently be called Lannuier (no signed chairs are known) and forms in itself, a beautiful and important Lannuier collection in Baltimore.

The final mark of Lannuier's workmanship to be discussed in detail is his decoration—perhaps most characteristic of all. This decoration is of three varieties: inlaid, carved, and applied. Lannuier knew how to use inlay of different wood as in the banding of the top and drawers of the nighttable mentioned earlier, the leaf or flower motifs at either side of a Classical pier table at the Winterthur Museum, and floral medallions on a small occasional table made originally for Commodore Richard Valentine Morris of New York. However, there is not enough of this inlaid wood decoration to judge its distinct qualities, as there is not a large group of Lannuier's work in the Classical style to evaluate. Most of his presently known furniture is in the Empire style which called for applied decoration rather than wood inlay. Only the fact that the inlay is of rosewood or ebony on an object in the Classical style, might point to Lannuier's craftsmanship as discussed above.

An excellent and most distinctive hallmark of Lannuier's workmanship is the metal inlay banding on tables, beds, and chairs. (Cf. Figs. 3, 5, and 6.) The inlay was probably ordered from France in strips and like wood inlay, was glued carefully into a depression planed for it, flush with the wood veneer. The inlay is always black and gold, in patterns of great refinement: Greek key frets, egg and dart motifs, and many other classical designs. The motif is always small and discreet, and there is a great variety of patterns, several sometimes appearing on a single object. Four types of this inlay, for example, band the panels of bird's eye maple on the bed at the Albany Institute. Lannuier's use of metal inlay cannot be definitely catalogued because he used so many patterns; he almost never repeated one type; seemingly he delighted in individualizing each piece of furniture he created in this manner.

The metal inlay appears in single motifs as well as bands or strips, and always in Classical patterns; the card table owned by Mrs. John de Witt Peltz, for example, and for some time exhibited at the Museum of the City of New York, has inlay in the shape of stars, flowers, urns, and lyres, along the skirt and base. The distinctive qualities of this inlay can best be understood by seeing as many of the different patterns as possible and by comparing the stencilled imitations on some pieces of American Empire furniture. Both metal inlay and applied ormolu decoration which mark the French Empire style were copied by painted stencilling in America, but the effect of the bolder color and shape of the painted ornament, as well as its flatness of plane, is not as pleasing as the small scaled metal inlay, and the three-dimensional sculptural quality of the cast metal mount.

Lannuier's carved decoration is more distinctive in form than in technique. He was fond of winged caryatid figures to support his tables, as discussed above, and several different varieties of these figures are known. Similarly he used boldly cut, naturalistic dolphins, and animal-paw feet with acanthus carved "knees" to support many case pieces. Freestanding columns of richly figured wood with ormolu capitals and bases in delicately chased patterns are also seen in his work as well as the distinctive lotus or tulip-like colonnettes seen in Figures 2 and 3. The carved figures used by Lannuier were usually gilt and also painted either black, or coppery green to resemble the *vert antique* or verdigris found on archaeological excavations.

The applied ornaments used by Lannuier are again distinctive but difficult to particularize because of their variety. The most typical are the quarter round metal edgings found around the rims of card tables and pier tables and marking the panels of beds. The Classical card table of Figure 1 has these gilt brass edgings outlining its skirt. This is most unusual on American furniture of the period. Similarly the ormolu mounts are exceptional and rarely found on American furniture. These mounts were imported from France; brasses so thin and delicate, yet complex in form, were not yet made in America in the early nineteenth century. The casting of these beautiful and highly individual mounts, which were in turn chased and gilded, was a skilled craft with a long tradition of its own in France, and, indeed, the mounts were usually the most expensive single components of a piece of French furniture. The use of gilt brass mouldings and ormolu mounts of exceptionally fine quality is one of the most distinguishing characteristics of Lannuier's work.

As with his metal inlay Lannuier rarely used the same mount twice. The case of the central mount of the table at the Maryland Historical Society (Fig. 3) which is identical to the ornament on the card table (Fig. 1), and that of the matching Maryland chair whose mount is identical to that on the Albany table (Fig. 2), is a happy coincidence which figures in the attribution of these objects to Lannuier. Several other mounts are repeated, and two particularly distinctive ones are similar, on tables at the Metropolitan and Brooklyn Museums, respectively. These are the figures of a classical personage, possibly Apollo, in a chariot drawn by winged insects resembling bees; this scene may be an allegory in which Napoleon is depicted as Apollo, for one of the personal symbols of the French Emperor was the bee, and as such it figured often in the decorative arts of his reign. A mount identical to that on Lannuier's pier table at the Metropolitan Museum appears on a French Empire pier table at the Musée des Arts Décoratifs.[16]

One of the most characteristic features of Lannuier's work and again one of the most difficult to define concerns the craftsman's attention to small details. In this case, these are details of finishing rather than construction. The Winterthur Museum card table (Fig. 1) exhibits a number of these niceties of finishing. The round depressions for candleholders seem more suited to the Classical style than the usual square variety, and the rich wine-colored felt cover, with its gilt leather border stamped with a Greek key fret, is a welcome change from the common green baize. Similarly, the card tables supported by caryatids (Figs. 2 and 3) have velvet lined depressions along the inner rim of the top upon which it revolves to open noiselessly. The chessboard which forms part of the Lannuier gaming table at the Museum of the City of New York is inlaid on both sides although one side would have served as well. These were the extra details which only the most advanced *ébéniste* would have felt it necessary to include.

At this moment three Lannuier labels and at least two stamps are known. Two of the labels are printed and are quite simple in form, dating probably from the early period of Lannuier's work, 1804-1810. Another more elaborate engraved label set in the shape of an Empire cheval glass, may date from the period after 1810 when Lannuier, with increased prosperity, could have afforded the luxury and greater expense of engraving. This is, generally speaking, borne out by existing labels on Lannuier pieces; the objects in the earlier Classical style have the printed label, while pieces in the Empire style exhibit the engraved one. One of the printed labels, and the engraved version, carry the advertisement of the cabinetmaker's talents in French as well as English. The continuance of the French translation is a mark of the *bon ton* which accompanied both the French language and fashions in early 19th century New York.[17] Lannuier also stamped his full name on his furniture in the French manner: his *estampille* includes his adopted city of New York as well as his own name. The reason for the addition of the city is not certain, unless Lannuier was particularly proud of his new home, or wished to inform customers in the distant cities he supplied of his address.

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[16] Illustrated in *Les Nouvelles Collections de l'Union Centrale des Arts Décoratifs au Palais du Louvre. Pavillon de Marsan. Serie no. 8. Suite de Mobilier* (Paris, 19[?], Plate 108.

[17] The engraved label bears the following inscriptions in elegant flowing script and English which suggests that the engraver was one of Lannuier's fellow-emigrés: H^{RE} LANNUIER/ CABINETMAKER FROM PARIS/ KIPS IS WHARE HOUSE OF/ NEW FASHION FOURNITURE/ BROAD'S STREET, NO. 60/ NEW

Charles-Honoré Lannuier's love of cabinetmaking is everywhere apparent in his preserved works. The many details which have been noted give a greater picture of his comprehension of form, function, and style in furniture. Lannuier made usable furniture, so well made that it has endured and is still in use today. His knowledge of construction was so sure that no details of the manufacture of an object intrude themselves into the enjoyment of the form. Instead a perfect unity of form and decoration is achieved. Lannuier's knowledge of style was similarly comprehensive and first-hand. His work in the Classical style is light and graceful in form; restrained in ornament. The Empire style is expressed in its greatest nobility. The grain of beautiful wood is contrasted against white marble and reflected in mirror; the dignified and handsome forms are emphasized by gleaming ormolu mounts.

It should be noted that in form and ornament Lannuier's work is, on the whole, more restrained than the work of his contemporaries in France. This may be due either to Lannuier's own interpretation of the style or to suit the tastes of his American customers. A striking fact emerges from a prolonged study of Empire furniture; the gulf between the very good and the very bad seems wider than in any other style. While in the Queen Anne and Chippendale styles of the 18th century, country furniture or furniture by lesser city craftsmen often has great simplicity and charm, similar furniture in the Empire style is sometimes heavy, crude, and overdone. The Empire style required a comprehensive knowledge of the forms and decoration of the classical era and a mere combination of copied details falls far short of what was intended by the originators of the style. The work of Lannuier, then, may be used as an example of what is good and beautiful in the Empire style in America, and serves as a standard for all furniture in this manner.

YORK/ H$^{\text{RE}}$ LANNUIER/ EBENISTE DE PARIS/ TIENT FABRIQUE &/ MAGASIN DE MEUBLES/ LES PLUS A LA MODE/ NEW YORK./

Charles-Honoré Lannuier died in New York City on October 16, 1819 at the untimely age of 40. Unfortunately, neither of his two sons followed the father's craft.[18] The skills which Lannuier brought to this country died with him, but his French tradition exerted a profound influence on the fashions of New York in the early nineteenth century. Only his works, a growing number of which are now known to have been preserved, appropriately exhibited and valued, speak of the brief but telling career of this *maître-ébéniste* who belongs both to France and to America.

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[18] Charles-Honoré Lannuier was married, either in France or in New York, to Thérèse Baptiste. Three children are known to have been born to them, Stanislas Mortimer, Sophia, and Charles-Ansore. The last named was born in 1816 and probably died soon after for he is not named in Charles-Honoré's careful will of 1819. Both Stanislas and Sophia died at early ages, and although their children were working in New York in the 1860's and 1870's no descendants have been traced.

THE GREAT SEAL DEPUTED OF MARYLAND

By Peter Walne

IN his paper *The Great Seal of Maryland*, published in the Peabody Fund Series in 1886, Clayton C. Hall dealt with the successive Great Seals of the proprietary province, royal colony and independent state of Maryland. This present article confines itself to an account of the Great Seals Deputed of Maryland during the years 1692-1715, when the proprietary government was displaced by royal government, and attempts to correct certain misunderstandings in Hall's paper and to amplify his brief account of these seals—of which there were three, not two. With the Great Seals of the Proprietors and of the State, this article is not concerned. The writer's interest in this limited aspect of the sigillographic history of Maryland must be excused on the ground that he is preparing a detailed study of the Great Seals Deputed of the British Colonies, past and present. It is as a partial result of this work that a reassessment of the seals of royal government in Maryland can be written.[1]

When, in 1692, the authority of the Proprietor of the colony was replaced by that of the Crown, exercised through the office of a Governor and Captain General, the Great Seal of the Colony was one of those things which most sharply reflected the changed

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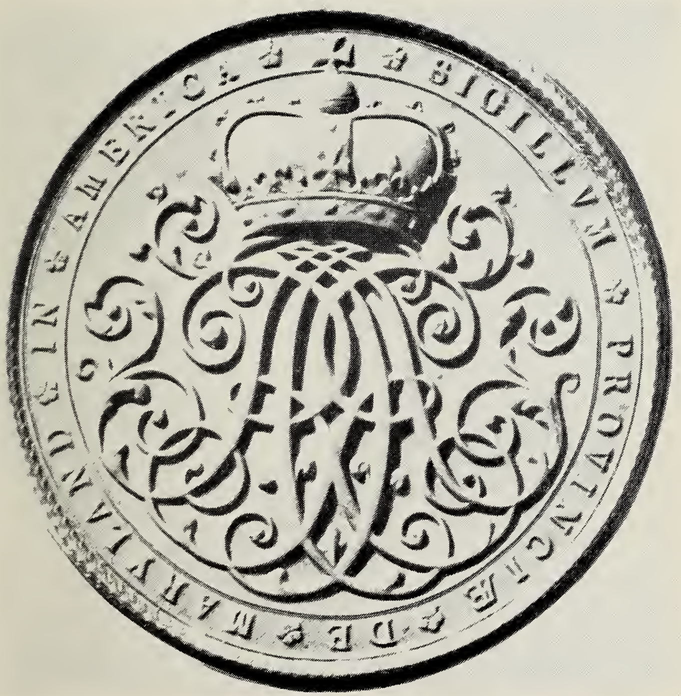
[1] A recent detailed study of *The Great Seal Deputed of Virginia*, by the present writer, appeared in *Virginia Magazine of History and Biography*, LXVI (January, 1958), 1-21.

The term " Great Seal Deputed " is used in English seal nomenclature to denote those seals which, over the course of centuries, have taken the place of the one Great Seal of the realm for the authentication of documents, which at one time would have been authenticated by the Great Seal itself. As government became more complex and its ramification more widespread, the use of the one Great Seal became impossible and so other seals fulfilled its tasks, some of them specifically being called [Great] Seals Deputed for particular business. Of this category of seal, those for use in the British colonies show the widest divergence from the traditional pattern of Great Seals and are probably the most interesting of them all. The use of the term in connection with the Maryland seals, is useful in that it establishes a differentiation between the Great Seal of proprietorial government and the Great Seal Deputed of royal government with some precision.



The Great Seal Deputed of Maryland, 1691/92

order. Now that writs ran in the King's name, proclamations and laws, grants of land and office requiring authentication could not be so authenticated by the Proprietor's Great Seal. In its place was substituted, as happened in all colonies governed by the Crown through a Governor, a Great Seal Deputed, a class of off-shoot from the Great Seal of England, which gave the necessary authentication to all such documents as customarily and traditionally passed under the Proprietor's Great Seal to give them legal validity. Of the detailed history of these seals not a great deal is known, although the materials for a detailed study exist in profusion in the Public Record Office and Royal Mint in London and in the archives and other records of the colonies, past or present.

It would seem that Hall in his brief account of the Great Seal Deputed of the period of royal government misunderstood the sequence of events, which surrounded the issue of the seal for Maryland in 1692 and, as a result, reverses their order and significance. It is not strictly true to say, as he does, that the seal was adopted " but . . . not . . . without the direct sanction of royal authority." [2] The Crown having assumed control of the government, it would be necessary for a royal seal of dignity to be sent to replace that of the former government and the Council did not really " adopt " this seal, with or without the scant formality, which Hall conjectures. The seal was sent to be used as an essential part of government and administration and the Council had to accept it. It might be useful at this stage to reconstruct the sequence of events, which led up to the issue of this first Great Seal Deputed, a reconstruction based on practice known to be followed in the next reign and almost certain to have been followed in 1691-2.

What, in effect, would have happened prior to the dispatch of the seal is roughly this: on learning that the province was to be placed under royal government, an Order in Council would be sent to the Board of Trade and Plantations authorising the making of a seal for the colony and instructing the Board to take steps for its preparation. The Board would then call in and instruct the Chief Graver of Seals to prepare the matrices of the seal after the lines of a design discussed between them, the instructions being in the form of a warrant of the Board in which the seal would be described. Eventually, the Graver produced the matrices before the

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[2] Hall, *op. cit.*, pp. 24-5.

Board, where they would be approved and transmitted to the Privy Council for further approval along with a draft of the warrant to Governor Copley for the use of the seal. Having received the Council's approval and the warrant for use having been duly signed, both would be returned to the Board and from thence transmitted to the colony.

Since the first seal for Maryland was issued out of sequence and not at the beginning of the reign when the Graver of Seals would have an extensive range of new matrices for the numerous departments of state and the judiciary, besides personal royal seals, to engrave, the whole procedure would be much quicker than normally was the case. By 7 January 1691/2, the seal was ready and the warrant to Governor Copley drafted and signed ready for despatch.[8]

In the warrant, the first of the Great Seals Deputed for Maryland—the first of three, not two as Hall says—is clearly described. It was double-sided, bearing on the one side the royal cypher (i. e., the letters WMR entwined) surmounted by a crown, the legend *Sigillum Provinciae de Maryland in America* running around the circumference. On the other side were the royal arms (i. e., the Stuart arms with an escutcheon of pretence centrally placed, for Nassau, impaling, again, the Stuart arms), the shield surrounded by the Garter ribbon bearing the motto of the Order, *Honi Soit Qui Mal Y Pense*, the lion and unicorn supporters, one each side of the shield, and a royal crown surmounting the whole. In a ribbon beneath the shield was the royal motto, *Dieu et Mon Droit.* Surrounding the whole was the legend bearing the royal titles *Gulielmus III. et Maria II. Dei Gratia. Mag. Britt. Fran. et Hiber. Rex et Regina. Fidei Defensores.* The two matrices were of silver and the engraving was the work of Henry Harris, at that time Chief Graver of Seals to the Crown. From a copy of Harris's account for the work in the records of the Royal Mint, it appears that his charge for engraving the matrices was £50, £30 less than the £80 charged for engraving the double-matrix seals of New York and the Leeward Islands earlier in the reign (no doubt the less intricate design of the Maryland seal would account for the lower charge). 38 ozs. of silver went into the matrices at a cost of £10-2-8 and a steel seal press, to enable impressions of the seal to be made and affixed to documents, was supplied at the same time at a cost of £10.[4] The Treasury eventually authorised payment of Harris's bill and the money would be recovered, through the Colony's London Agent.

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[8] Hall, *op. cit.*, pp. 47-8, prints the warrant in full.

The seal arrived in the colony in the late summer or early fall of 1692 and on October 1, 1692, receipt and adoption was formally acknowledged by the Council sitting in the City of St. Mary.[5] The diplomatic of the Great Seal Deputed of Maryland (and indeed of the Proprietor's Great Seal) is a subject which awaits closer scrutiny in the records of Maryland and in records in the Public Record Office in London. Such a search would no doubt produce tangible results but this paper, and the writer's work so far, has of necessity been confined simply to the history of the seals as tangible objects, the much wider field of their use awaits exploration.

On the death of Mary II in 1694, there was no general issue of new seals for the colonies in William's name alone. This, possibly also on grounds of economy, was almost certainly because William and Mary were joint rulers (not sovereign and consort) and Mary's death did not result in a demise of the Crown, which would, amongst other things, have meant new seals. In March, 1697/8, the only move which might have been occasioned by Mary's death as far as colonial seals were concerned was when the Board of Trade and Plantations conducted an investigation into the designs and legends of seals in use. From this it appeared that the Virginian seal was that issued in 1662 for Charles II, that for Bermuda was the one issued in 1684 for James II and New Hampshire had no seal; the remainder were the current ones for William and Mary's reign.[6] New seals for these three were ordered and were the only three issued for the colonies in William's name alone.[7]

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[4] Royal Mint Record Book, VII, 1699-1728, 74-5. The office of Graver of the Seal was not on the establishment of the Royal Mint but was a separate office, to which appointment was made by Royal Warrant. The Graver presented his bill for colonial seals to the Board of Trade and Plantations who then, after approving the charges, passed it to the Treasury. The Treasury then submitted it to the Master and other officers of the Mint, asking them to certify the correctness and reasonableness of the charges. Hence the information being in the Mint records, where it is more easily accessible, as well as in the Treasury records, where it is less so.

[5] Hall, *op. cit.*, p. 24.

[6] *Calendar of State Papers Colonial, America and West Indies, 1697/8,* p. 127 (hereafter cited as *Cal. S. P. Col., A. & W. I.*).

[7] *Ibid.*, p. 139.

With the death of William III in 1702, the machinery for the issue of new seals once more went into operation. On 13 April, 1702, a royal warrant was sent to each colonial governor authorising the continued use of the old seal until such time as the new one should be received. On 31 May an Order in Council under sign manual, directed to the Board of Trade and Plantations ordered new seals to be prepared, the Lord High Treasurer would arrange to meet the charges and the seals when ready were to be laid before the Queen in Council. This order was received by the Board on 8 June and instructions were given to Harris, still Chief Graver of Seals (as well as Yeoman of the Revels, a mildly lucrative but not particularly onerous Household appointment) to do the work.[8]

Some 16 months later, in October 1703, Harris reported to the Board, that although he had made all the new seals for use in the three home kingdoms and some of the colonies, the seals for Jamaica, Barbados, Leeward Islands, Massachusetts Bay and Maryland were still not ready.[9] His illness and subsequent death in the summer of 1704, with only the Leeward's seal finished out of those outstanding, delayed matters even further. On 17 October 1704, Harris's daughter, Mrs. Elizabeth Furnesse, appeared before the Board with the completed Leeward's seal and the half completed New York seal, saying that the rest were in hand and asking for instructions.[10] On 26 October, the Board requested instructions from the Treasury [11] and on 31 October, the Treasury told the Master of the Mint to authorise her to continue with all speed.[12] As Mrs. Furnesse was not appointed Graver of Seals and as no successor to Harris was appointed until March 1704/5, when John Roos succeeded to the office, it must obviously have been thought advisable, in the unusual circumstances, to put her directly under the control of the Mint. On 14 December, Mrs. Furnesse wrote to the Board that the seals for Maryland and New Hampshire were ready and she was ordered to deliver them at once.[13] By 22 December, they were before the Board and the rest

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[8] *Ibid.*, 1702, p. 366.

[9] Royal Mint Record Book, VII, 78.

[10] *Journal of the Commissioners of Trade and Plantations* (hereafter cited as *Journ. T & P.*), I, 50.

[11] *Ibid.*, p. 51.

[12] *Calendar of Treasury Books*, XIX, 397.

[13] *Cal. S. P. Col., A. & W. I., 1704-5*, p. 338.

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promised.[14] By 19 April 1705, with the exception of the Jamaican seal, the remainder were in the Board's hands [15] and on 20 April, seals and draft warrants for use were sent to the Privy Council.[16] On 3 May the Queen signed the warrants for use (later discovered to have one important defect in them),[17] and seals and warrants were returned to the Board for onward transmission. On 8 May, William Popple, Secretary to the Board, sent the North American seals and warrants in two packets to Lieutenant-Governor Nott of Virginia in Portsmouth, about to board the man-o'war *Kingston* to return to America. One packet contained the seal and warrant for Virginia, his own particular concern; the other, the seals and warrants for New Hampshire, New Jersey, New York, Massachusetts Bay and Maryland, all consigned to Governor Seymour of Maryland, who would arrange distribution.[18] Nott, acknowledged safe receipt on 19 May,[19] and the seal would be in Maryland in use by the late summer.[20]

The important defect in the Maryland warrant for use, in common with all those signed on 3 May, was the omission of the instruction that the old seal was to be defaced in the presence of the colony's Council and then returned to England for formal defacement in the Privy Council. This additional instruction was sent to Governor Seymour in a letter of July, 1705, reported to the Board of Trade and Plantations on 28 July.[21] It was in response to this that Seymour wrote on 15 August, 1706, returning the old seal of William and Mary,[22] having entrusted it to the care of Evan Evans to carry it to London, where he was to hand it over to Colonel Nathaniel Blakiston, Maryland's Agent in London.[23] Receipt of Seymour's letter was reported to the Council on 25 November 1706 and Blakiston was requested to attend next day to hand over the old seal formally.[24]

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[14] *Journ. T. & P.*, I, 76.

[15] *Ibid.*, 128.

[16] *Ibid.*, 129.

[17] *Ibid.*, 132.

[18] *Ibid.*, 134.

[19] *Ibid.*, 139.

[20] Hall, *op. cit.*, p. 25 is wrong in citing the proceedings of the Council of Maryland of 22 September 1706, as evidence of the adoption of this seal. The reference is to the adoption of seals, other than the Great Seal Deputed, for local use and made locally.

[21] *Cal. S. P. Col., A. & W. I., 1704-5*, p. 599.

[22] *Journ. T. & P.*, I, 295.

[23] Evans' receipt for the matrices, ingenuously described as "two pieces of silver plate," is printed in Hall, *op. cit.*, p. 148.

[24] *Journ. T. & P.*, I, 295.

The seal which was sent out to Maryland to replace the first of the Great Seals Deputed was similar in design to its predecessor. On the one side, it bore the royal cypher (A R), surmounted by a crown, the whole surrounded by the legend *Sigillum Provinciae de Maryland in America.* On the other side were the royal arms (i. e., the Stuart arms alone), encircled by the Garter ribbon with motto, the lion and unicorn supporters, the shield surmounted by a crown and the motto *Semper Eadem* in a ribbon beneath the arms. The royal title *Anna Dei Gratia Mag: Brit: Fran: et Hiber: Regina Fidei Defensor* forming the surrounding legend. The matrices this time were made " slightly larger by order " and the engraver's charge was £80, the same sum charged for all double-sided seals of this series.[25] Though larger, less silver was used this time, only 29 ounces 16 pennyweights.[26]

The Act of Union, 1707, by which England and Scotland became one kingdom had, as a by-result, the effect of requiring a completely fresh series of seals, at home and in the colonies, to take account of the change in the royal arms made at this time. On 6 July 1708, the Earl of Sunderland wrote to the Board of Trade and Plantations, asking for details of the designs of current colonial seals so that a warrant could be issued requiring the preparation of a new series bearing the altered royal arms.[27] The same routine of procedure in commissioning, engraving and approving the seals was followed as was the case with the first seals of Anne. The engraver was John Roos, Harris' successor as Chief Graver of Seals to the Queen.

Not until 7 May 1712, almost four years after it was first commissioned was Maryland's third Great Seal Deputed ready, when Roos produced finished seals for Virginia and Maryland for the Board's approval.[28] Draft warrants were ordered the same day and these, together with the seals, were forwarded to the Earl of Dartmouth, Sunderland's successor as Secretary of State for the Southern Department and as such in charge of colonial affairs, for approval, engrossment and signature.[29] The series of colonial seals was not, however, completed until March or April 1713, and despatch of those, including Maryland's, ready earlier was delayed until all could be sent at the same time. On 23 April 1713, a letter to Lloyd, President of the Council of Maryland, enclosing the warrant for use and the new seal was signed by the Board of Trade and Plantations and shortly thereafter the seal was despatched.[30]

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[25] Royal Mint Record Book, VII, 81.
[26] *Ibid.*, p. 82.
[27] *Cal. S. P. Col., A. & W. I., 1708-9,* p. 19.
[28] *Journ. T. & P.*, II, 363.
[29] *Ibid.*

This second seal of Anne was identical with the first, except for the changed version of the arms, which replaced the old Stuart arms in use since 1603. Roos' charge for engraving the two matrices was £80; the silver (29 ounces 13 pennyweights 12 grams) and a shagreen case, to protect the seal during transit and when not in use, added a further £8:18:4 to the cost.[31]

Although the warrant for use included the instruction to return the old seal for formal defacement, no specific mention of its receipt in England has been noted. It may well be that it was returned and the fact is hidden under a general reference or it is always possible that the eventual return of the reins of government to the Proprietor may have meant that compliance with the instruction was overlooked.

With the resumption of government by the Protestant Lord Baltimore, the Proprietor's Great Seal once more became the Great Seal of the colony and the royal Great Seal Deputed had no further authority. Although but a brief episode in the history of Maryland, the story of its three Great Seals Deputed is worth the telling for its own intrinsic interest. It is to be regretted that, with one exception, no impressions of the seal have yet been found by the writer, which would enable full illustration of the story.

The story of the Proprietors' Great Seal is another matter and to judge from Hall's paper much further research would be needed to establish the sequence of seals and details of their making and transmission to Maryland. The records which provide the story of the royal Great Seal Deputed are not likely to provide the story of the Proprietors' seals. Perhaps some day sufficient can be gleaned to add materially to what Hall has to tell, it would be worth the telling.

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[30] *Ibid.*, 424-5.

[31] Royal Mint Record Book, VII, p. 93.

SIDELIGHTS

THE COURT INQUIRES ABOUT A GHOST

KENNETH L. CARROLL

In Queen Anne's County, Maryland, at the end of the eighteenth century a civil suit was tried which, except for one curious aspect, would have been little different from countless others. This particular case became celebrated, however, because of the testimony of one of the witnesses concerning a ghostly interested party. Out of the court's proceedings came a pamphlet with the intriguing title " Authentic Account of the Appearance of a Ghost in Queen Ann's County, Maryland." [1] The story revealed in this pamphlet—the only extant record of the case—is fascinating but unfinished, for the court's decision is nowhere revealed.

The story really begins twenty-odd years before its climax, for several of the leading figures served in the Revolutionary War in the same military unit; and one of them began, during that war, the chain of circumstances which made the story possible. Thomas Harris, the main character in the story—in death as in life—had been one of the first in the state to respond to his country's call.[2] So had his brother James, whose widow Mary was now being sued as the administratrix of James's estate.[3] William Briggs, a lifelong friend of Thomas Harris and the chief witness in the trial, served in the same military organization with these two.[4] It also appears that Robert Wright, counsel for the plaintiffs and later governor of Maryland, was a member of this " Minute Company that march'd from Queen Anns County, Maryland, the 3d Feby., 1776 " to the Eastern Shore of Virginia—a move designed to keep the local Tories under the leadership of Lord Dunmore, governor of Virginia, from causing trouble.[5] The few months which these men spent in service together must have produced a deep effect upon them and on their friendship through the years.

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[1] The full title is " Authentic Account of the Appearance of a Ghost in Queen Ann's County, Maryland: Proved in said County Court in the remarkable Trial—State of Maryland, use of JAMES, FANNY, ROBERT, and THOMAS HARRIS, Devissees of THOMAS HARRIS, versus MARY HARRIS, Administratrix of JAMES HARRIS " (Baltimore, 1807). This pamphlet, hereafter referred to as *Appearance of a Ghost*, is extremely rare. The Library of Congress does not possess it, but a copy can be found in the New York Public Library, as well as in the M. H. S.

[2] *Arch. Md.*, XVIII, 645.

[3] *Ibid.*, XVIII, 67, 120, 375, 408, 645.

[4] *Ibid.*, XVIII, 50, 190, 309, 645.

[5] Frederic Emory, *Queen Anne's County, Maryland: Its Early History and Development* (Baltimore, 1950), p. 283. This work hereafter referred to as *Queen Anne's County.* See also *Arch. Md.*, XVIII, 645.

Unlike his brother James, Thomas Harris does not seem to have devoted many months to the Revolutionary army. It would appear that he returned home and resumed farming after this one period of service. Little is known about him, but it can probably be said with truth that he was something of a "man about town."

Whatever his true character, in the 1780's Thomas formed a rather close attachment for Ann Goldsborough—so that there resulted from this relationship four children: James, Fanny, Robert, and Thomas. All four of them were too young to be self-supporting when their father died in the fall of 1791. However, in his will, of August 25th of that year, Thomas Harris decreed that his real and personal property

> . . . be sold vandue and that twenty pounds Current money . . . be paid yearly to the seport of my four children begotten of Ann Gouldsborough—that is to say James Thomas Fanne Robert till they come to the age of seven years old and the Rest of the Money to be Equally Divided Between my four Children James Thomas Fanne Robert.[6]

His brother James was appointed his "hol and sowl" executor.

In due time James Harris caused the will to be probated and took the necessary steps to serve as executor. After making an inventory of the estate, he arranged a sale of the land which his brother had held and which James thought the will authorized him to sell. However, when the lawyer handling the transfer examined the title to the land, he made a surprising discovery: the property had not been held in fee, as had been thought by all concerned, but had been entailed.[7]

This finding was of two-fold importance. It was agreed that Thomas Harris, who "was not seized in fee, but in tail, of the land," had no right to devise it. Of more importance was the fact that the property could not descend to Thomas's children because of their illegitimacy. James Harris, the executor of his brother's will, was the "heir in tail." The land belonged to James in his own right—as the next legitimate heir—and he promptly conveyed his rights to the purchaser, keeping the money for himself.[8]

Just about two years after this unexpected turn of events James Harris died intestate. His widow, Marry Harris, was appointed administratrix of his estate. This, in turn, led to still another development. A suit was brought on her administration bond—seeking to recover the estate of her deceased brother-in-law, Thomas Harris, for the use of the illegitimate children to whom Thomas had willed all of his estate.[9]

This action, brought for the benefit of the children of Thomas Harris and Ann Goldsborough, was taken to court in 1798 or 1799. Since there exists a gap in the Queen Anne's County records for this period, our information concerning the trial comes to us through the exceedingly rare pamphlet dealing with the County's ghost.

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[6] This will is located in the Queen Anne's County Wills, Liber SC No. 7, folio 306. Probated on October 11, 1791, this document was witnessed by Thomas Wilcoks and James and John Meradith, sons of Thomas Meradith.

[7] *Appearance of a Ghost*, p. 3. It should be noted that this pamphlet mistakenly dates Thomas Harris' death in 1790, one year too early.

[8] *Appearance of a Ghost*, p. 4.

[9] *Ibid.*, p. 4.

One thing of interest about the case is that a number of very important people were connected with the trial. The judge was James Tilghman—a member of one of the Eastern Shore's better-known families and chief justice of the second judicial district comprising Cecil, Kent, Queen Anne's, and Talbot Counties.[10] Robert Wright and Joseph H. Nicholson were the counsel for the plaintiffs. Robert Wright later became United States Senator from Maryland, and in the fall of 1806 he was elected governor of Maryland by the legislature.[11] Joseph H. Nicholson represented Queen Anne's County in the state legislature in 1796, 1797, and 1798.[12]

Richard Tilghman Earle and John Scott were the counsel for the defendant. When James Tilghman, judge of the second district died on April 19, 1809, Earle was appointed in his place on May 20, 1809.[13] John Scott, a Revolutionary War veteran,[14] was not as prominent as the other lawyers involved in this case.

According to our one account of the trial, based upon "attested notes, taken in court at the time by one of the council," the counsel on both sides agreed before the jury was sworn that the only thing which could be recovered was the balance of Thomas Harris's personal estate: in the first instance, "the land was entailed. Secondly—Because if it had been a fee simple estate no person was appointed by the will to make sale of the land. The testator had directed it to be sold, and no doubt believed that his executor would be authorised to make sale of it." [15]

According to our source there appears to have been another motive, besides the welfare of the children, guiding some of the people involved. For some time rumors had circulated that the ghost of Thomas Harris had frequently appeared to William Briggs during the lifetime of James Harris. These appearances, according to common report, were designed to make James return the proceeds of the sale to the orphan's court for the use of the four small children whom Thomas had left. Many people wanted to hear these extraordinary stories, circulating freely throughout the countryside, repeated and sworn to under oath.[16]

William Briggs, it is recorded, "was known to be a man of character, of firm, undaunted spirit; had been a soldier in the Revolutionary War, and perfectly disinterested between and unconnected with the parties." [17]

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[10] Emory, *Queen Anne's County*, p. 132.

[11] *Ibid.*, p. 37. In April, 1806, while he was still in the Senate, he was selected "Attorney General, vice William Pinkney" but declined the appointment.

[12] *Ibid.*, p. 367. He is remembered for having voted, in 1797, against the bill for universal suffrage, "because it included free blacks as well as white, and he would never consent to give the negro a participation in government." The next year, 1798, Nicholson introduced a bill to extend suffrage to all white citizens without any property qualifications. This law went into effect in 1803.

[13] *Ibid.*, p. 382.

[14] *Arch. Md.*, XVIII, *passim.*

[15] *Appearance of a Ghost*, p. 5.

[16] *Ibid.*, pp. 4-5.

[17] *Ibid.*, p. 5.

He had served in the Minute Company that was rushed from Queen Anne's County to Northampton Courthouse in 1776.[18] Later, on July 24, 1776, he enrolled in the Flying Camp.[19] As a private he served from June 6, 1778, to March 30, 1779, and was with Captain Jonathan Morris's company of the 7th Maryland Regiment at White Plains on September 9, 1778.[20] It should be noted that, despite the above statement of his disinterest in the "parties," William Briggs had been a lifelong friend of Thomas Harris and had attended Harris at the time of his death.

Because of the widely spread rumors about the ghost, the court called William Briggs as a witness. Briggs, who was forty-three years old at the time of the trial, stated that on a very clear day in the March following the death of Thomas Harris he was riding alone on a horse which had belonged to the deceased. Sometime between eight and nine o'clock in the morning, and just after he crossed a small branch, his horse started moving rapidly and then entered a lane bordering the field where Harris's grave was located. The horse "suddenly wheeled in a pannel of the fence, looked over the fence into the field where Thomas Harris was buried . . . and neighed very loud." [21] Briggs testified that he was sure the horse recognized its former master.

Briggs, who said that he "was acquainted with Thomas Harris when a boy and there had been great intimacy between them," reported that he then saw Thomas Harris coming toward him. Just before the apparition reached the fence, on this first appearance, it turned to the right and disappeared. Briggs did not see the thing's features nor did he speak to it, even though "T. Harris came within two pannels of the fence to him." [22] The spectre was dressed in the same clothes that Harris had worn the last time that Briggs had seen him alive. It always wore the same apparel, according to Briggs, whenever it appeared.

Several months later, one evening at dusk about the first of June, Thomas Harris's ghost appeared a second time. This time Briggs was plowing some three miles from the place where the grave was located. The ghost, dressed as before, came within two steps of Briggs and walked alongside him for about two hundred yards. Meanwhile, a young man, who was plowing along with Briggs, came up and the ghost disappeared—with no apparent motion of any particular part of his body. The helper did not see the ghost, and Briggs made no mention of what had taken place.[23]

After Briggs had gone to bed that night several unusual things happened. A loud groan was heard, but when Mrs. Briggs searched the house nothing could be found. Later, when Briggs was asleep, he received a blow that blackened his eyes and caused his nose to swell. Neither his wife, who was in bed with him, nor two young men who were in the room were awake at the time. Briggs was convinced that no person in the room had struck him.[24]

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[18] *Arch. Md.*, XVIII, 645; Emory, *Queen Anne's County*, pp. 283-284.

[19] *Arch. Md.*, XVIII, 50.

[20] *Ibid.*, XVIII, 190. The jacket to his file, showing his presence at White Plains, is preserved at the National Archives in Washington.

[21] *Appearance of a Ghost*, p. 6.

[22] *Ibid.*, p. 6.

[23] *Ibid.*, pp. 6-7.

Another two and a half months passed before the next recorded appearance of Harris' ghost. Toward the middle of August, about an hour after nightfall, William Briggs was on his way home when Harris's figure approached him and extended his weightless arm over Brigg's shoulder. The phantom said nothing, finally disappeared, and Briggs, " much alarmed," made his way to a neighbor's place and got a young man to go home with him.[25]

In October the ghost appeared three times in one morning. At dawn Briggs saw his former friend about one hundred yards from the house and about fifty yards from where Briggs himself was. Later, about eight o'clock, when Briggs was handing up blades [26] to one of his men, Thomas Harris's figure approached along the garden fence to within fifteen feet of where Briggs was working. He vanished (" always to the east ") without the helper seeing him. The third appearance took place in the same spot about nine-thirty when the ghost came up to the fence and remained leaning on it within ten feet of Briggs.

Briggs pointed in that direction and asked his young assistant if he did not see Thomas Harris; the young man answered in the negative.[27] Then Briggs approached the apparition, climbed over the fence where it was standing, and the two walked off together—going about five hundred yards and conversing the whole way. At last it became clear to Briggs what Harris's ghost wanted of him. Thomas Harris was disturbed over the developments in the administration of his former estate. It was his ghostly wish that his brother James keep the estate intact until the children became of age at which time it should be divided among them.[28]

Thomas Harris's ghost then told Briggs the details of a secret conversation which had taken place between himself and his brother, James—a " conversation which passed between them on the east side of the wheat stacks, the day he was taken with his death sickness." [29] Then, after ordering Briggs to turn around, it disappeared. Briggs later related that the voice with which the ghost spoke was not the voice of the living man and that it was very low, so low in fact that often it could not be understood.

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[24] *Ibid.*, p. 7.

[25] *Ibid.*, pp. 7-8. After he arrived home he mentioned to his young companion what had happened. And, even before this episode, he had told James Harris that he had seen the ghost of his brother.

[26] Down unto fairly recent times it was the practice in this area to strip off the lower leaves or blades of corn and tie them in small bundles which were then stacked away for later use as feed for the animals on the farm.

[27] *Appearance of a Ghost*, p. 8. The young assistant, a John Bailey, supported Briggs's testimony at this point when he took the stand but said again that he saw nothing himself (p. 10).

[28] Those who have studied the recorded " appearances " of ghosts have noted that the motive which seems to lie behind a large number of these occurrences is the " urge to set right an injustice done in the settlement of an estate." In this case, however, Thomas Harris's ghost wished to prevent the injustice from happening. William Oliver Stevens, *Psychics and Common Sense: An Introduction to the Study of Psychic Phenomena* (New York, 1953), devotes a chapter to such cases.

Briggs then went to James Harris and told him he had seen his brother's ghost three times that morning. When Briggs asked James if he remembered the reported conversation at the wheat stacks, James said that he did, and he told Briggs what had taken place. Brigg's knowledge of the event convinced Harris that Briggs had really seen the ghost of his brother, for he was certain that no one else knew of that conversation. James agreed to follow the new plan for disposing of the property,[30] and Briggs reported this agreement to the ghost later that morning.

There were later conversations with the apparition, according to Briggs, but never again did the subject of the estate come up. What they talked of no one learned. Naturally enough those in court wanted to hear all the conversations with the ghost:

> The counsel were extremely anxious to hear from Mr. Briggs the whole of the conversation of the Ghost, and on his cross examination, took every means, without effect, to obtain it: they represented to him, that as a religious man, he was bound to disclose the whole truth, and nothing but the truth; he appeared extremely agitated when applied to, declared nothing short of loss of life should make him reveal the whole conversation, and claimed the protection of the court, that he had disclosed all he knew relative to the case.[31]

The court overruled the question of the counsel.

Just as the courtroom was left with its curiosity unabated, so are we. The author of our sole source of knowledge about this trial, having had only one interest—proving the existence of this Eastern Shore ghost—failed to record the decision of the court with regard to the contested property. This is indeed unfortunate for, combined with the fact that there is a gap in the Queen Anne's County records at this very time, his negligence leaves us ignorant of the outcome. Was ghostly justice triumphant? That is the question we are left with.

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[29] *Appearance of a Ghost*, pp. 8-9.
[30] *Ibid.*, p. 9.
[31] *Ibid.*, p. 10.

REVIEWS OF RECENT BOOKS

Shout Treason: The Trial of Aaron Burr. By FRANCIS F. BEIRNE. New York: Hastings House, 1959. 308. $5.

In the spring of 1805 a traveler set out on horseback from Washington. His immediate destination was Pittsburgh. His journey would carry him further in both miles and fortune. The traveler was Colonel Aaron Burr, until a few weeks before, the third Vice-President of the United States.

Burr had been a colorful figure in the fight for American Independence and in the civil life of the infant nation. If attributed to a character of fiction, his personality would seem overdrawn. Of arresting appearance, high intellect, liberal education, aristocratic background and almost hypnotic charm in conversation, he was one of the more striking figures who has appeared on the stage of public life in America.

Two years later he was a prisoner in Richmond, Virginia, charged with treason. In those two short years his activities insured that on the pages of history his name would appear in type bolder than that usually accorded a Vice-President and he would become better known than many of his contemporaries whose achievements were more deserving of credit.

While it was not known publicly, when Burr left Washington he was insolvent, financially and politically. Never high in favor with Washington and suspect in the eyes of Jefferson, his brilliant performance while presiding at the impeachment of Justice Chase closed his official political career. Because of his duel with Hamilton he was under indictment in New York and New Jersey. His income was insufficient to maintain the living standards he had established. Balanced against this side of the ledger was complete self confidence and a personal ambition comparable only with his devotion to his one child, a daughter of great personal charm who fully returned her father's affection.

While Colonel Burr was the central figure in what was, perhaps, the most sensational criminal trial in the annals of the United States, persons and influences of greater importance were involved. To this reader the volume is secondarily the history of that trial. In a less disturbed period with more deliberate action by the Government before instituting proceedings the result may well have been either no trial or a successful prosecution. Burr's activities were seized upon as an issue to be capitalized by powerful political forces.

The struggle between the Federalists advocating an all powerful central government and the newly organized party seeking containment of those powers was in the early stages of the conflict which has continued until today. Among the arch proponents of the forces of centralization was John Marshall, Chief Justice of the United States, who presided at the trial. The chief architect of the opposing party was Thomas Jefferson, President of the United States. These were the real contestants in the Burr case and they were engaged in a deadly serious political maneuver.

Before Burr was apprehended Jefferson issued a Proclamation asserting that there could be no doubt that Burr was guilty. In that day, as in this, that was an extraordinary pronouncement. While Burr was awaiting trial Marshall attended a dinner given in honor of the accused. In that day, as in this, that was an extraordinary act.

Against a background of the drab surroundings of the old Hall of the House of Delegates in Richmond, devoid of the trappings of pageantry which marked the trials of Warren Hastings and Samuel Chase, the author conjures up an interesting group of " Shadow-shapes," including bearers of distinguished names: Jefferson, Marshall, Andrew Jackson, John Randolph of Roanoke (whose selection as foreman of the Grand Jury was enough to cause eyebrows to be raised), Wickham, Hay, McRae, Martin (of Maryland), Wirt, the young Botts whose career was improvidently cut short in the theatre fire, the celebrated editor Ritchie, the Randolphs, Peyton and Edmund, David Robertson who preserved the incidents of trial, the aspiring young artist, St. Memin, the fledging writer, Washington Irving, the notable " Two Parsons " Buchanan and Blair and the youthful Winfield Scott. We are told of the allowance by Congress of the disputed and questionable claims of General Eaton on the eve of his testimony against Burr. General Wilkinson, the posturing professional patriot of the plot, the strange Blennerhassetts and many others are included. In attendance was a cross section of the citizenry of the Commonwealth, the fine raiment of the easterner mingling with the leathern hunting garments of the frontiersman. There also was Colonel Edward Carrington, closely related by marriage to the presiding judge, who named him foreman of the jury. Again we have cause for comment in that day as in this. Parenthetically, we find the wife of the foreman sending delicacies to Blennerhassett (anonymously for the nonce it is true) while he was awaiting trial.

If Marshall conferred with Cyrus Griffin, the resident judge who sat with him, there is no indication of it in his opinions. Griffin had ability. In age he was seven years senior. With a career of distinction behind him, for the past eighteen years he had presided over the federal courts in Virginia with additional credit to his fame. Marshall's only judicial experience was six years as Chief Justice. It is probable that Griffin was one of the few objective observers of the trial and it is regrettable that he left no record of his impressions. If he concurred in the opinions it is singular that Marshall made no allusion to support from such a source as this veteran judge appointed by Washington.

Both Jefferson and Marshall were careful to avoid a test of powers between the heads of the Governmental branches they represented. Both compromised when it appeared that Burr's application for a subpoena to require the presence of Jefferson might provide such an issue. Marshall's tactics in Marbury v. Madison was recent history.

The result of the trial was " inconclusive " but the verdict, as shown by the record, was phrased as a result of considered deliberation by the jury. In retrospect this *cause celebrèbre* was a mere skirmish between advocates of opposing political theories. It did illustrate the high state of excitement to which the public can be aroused by sensational charges. It shows the lengths to which men in places of high responsibility will sometimes go when objectivity is lost in waging a crusade.

The volume is well worth study by the student of American history to whom it will provide interesting reading. The well told story with descriptions and recitals of the conduct of the characters is highly entertaining with a touch of romance which will appeal to the casual reader. By those who prefer direct references to source material the lack of foot-notes may be regretted. However, the bibliography reflects a wide range of research and sources available to the scholar who may desire to pursue his studies further.

The author, a distinguished editor and columnist, is a Virginian by birth and education and was a Rhodes Scholar at Oxford University. He is the author of several other books of note. In this one he entertainingly reveals an intimate knowledge of the traditions and locations of Richmond relating to this occurrence of more than a hundred and fifty years ago as well as a careful study of the facts with which he deals.

STERLING HUTCHESON

Boydton, Virginia

Mexico, 1825-1828. The Journal and Correspondence of Edward Thornton Tayloe. Edited by C. HARVEY GARDINER. Chapel Hill: The University of North Carolina Press, 1959. 212. $5.

The author of the journal and letters, here edited as a unit, was the son of a well-to-do Virginia planter. Educated at Harvard and seeking congenial employment in which he could render a public service, he spent three years in Mexico as the unpaid private secretary of United States Minister Joel R. Poinsett. He approached his post with zest and enthusiasm, albeit with certain prejudices. Among these was his repeatedly expressed and bitter antipathy toward Roman Catholicism.

Young Tayloe thus witnessed at first hand the establishment of United States relations with Mexico by a minister who tried at times to influence Mexican politics (Witness Poinsett's well-known work with the *Yorkino* (York Rite) Masonic Lodge).. Unfortunately for the present day historian the writer was exceedingly discreet. When one of his early letters to a brother found its way into print, he sharply enjoined the brother to hold all future reports on public affairs in strictest confidence. Occasional comments on British activities were shrewd, statements concerning Spanish colonialism were sharply critical, and references to Mexican leaders and conditions were incisive. Probably the most valuable feature of the volume, however, is the indirect light shed on early United States diplomatic activities. These were geared to an odd mixture of personal relations and personal politics all slowed to the tempo of sailing ships by water and of horse travel by land—and the whole conducted by gentlemen genuinely inspired by democratic principles who nevertheless kept a keen eye trained on home politics.

Descriptions of scenery and travel conditions form the major portions of the account. Little space is devoted to social affairs and customs. Most of the trips reported, aggregating some 2,000 miles, were accomplished on horseback and over trails that were both rough and hazardous. The young writer showed passing interest in archaeological remains but his chief attention was devoted to mines and geography. Indeed, he urged his family to invest in one or two promising ventures. Caustic comments on travel accommodations were tempered by repeated acknowledgment of the friendliness of the Mexican people. Incidentally, he reports on one trip in company with John Slidell, later prominent in the diplomatic relations of the two countries, at a date earlier than any such trip noted by Slidell's biographer.

The editor's knowledge of the general field and his scholarship are skillfully shown, his cross references to other authorities are excellent, and only a few minor errors escaped his notice. For instance, the latitude cited on page 166 does not coincide with that shown on the end papers; also some of Tayloe's references to directions and points of the compass are slightly inaccurate. Incidentally, the end papers appear at first glance to represent all Mexico instead of only a limited portion of it. An inset showing the section covered would have helped to orient the reader. More important, though the title of the volume restricts the story to Mexico, the Epilogue is puzzling. If given at all why is it so strangely condensed? The expulsion of General William Henry Harrison from Colombia was a most colorful affair. Other documents and reports concerning it would have been most welcome. The reader wonders why, if the episode is mentioned at all, he is given such a scant glimpse of this tantalizing story when the total length of the volume here published is less than 225 pages.

This call for " more of the same " indicates that the reviewer considers this little publication has real value. It gives the reader that unconscious realism which research workers so ardently seek and so seldom find in the cold documents of the period.

W. H. CALLCOTT

University of South Carolina

The Development of Banking in the District of Columbia. By DAVID M. COLE. New York: The William-Frederick Press, 1959. x, 629 pp. $10.

In this careful history of banking in the District of Columbia from its beginnings in the 1790's until the 1950's, Dr. David M. Cole places main emphasis upon the unique nature of the economy in which it developed. In that economy commerce, manufacturing, and finance have never amounted to much, especially in comparison with their proportions in other major cities. Foreign trade was fairly important until the port and city of Alexandria, originally part of the District, reverted in 1846 to the control of Virginia. Such light manufactures as the making of beer, bread, and bricks developed, but their products were aimed at the local market. Washington seems never to have been a center of finance. The relative lack of these more normal investment and loan outlets has always exerted an important influence upon the character of banking in the District, especially before the Civil War. Since then, the more significant element of uniqueness in the District's economy has been the presence of the national government.

Nothing, it may be observed, reflects so well the title of the pre-Civil War balance of political power towards the states rather than the national government as does the relative sparseness of the Capital's population, and the dismal, undeveloped appearance of the Capital City itself. Even in 1865 the City's parks were unimproved and neglected, its streets mainly unpaved, its lighting system antiquated, its sewage system non-existent. Population did not begin to grow rapidly till after the War. Then it expanded during two World Wars and during the deep depression of the 1930's mainly in consonance with the expansion in activities of the national government. To the consumer needs of this population, both resident and visiting, banking services of the District are today largely oriented. Freed by the minor importance of industry and trade from the fluctuations experienced by many other areas; securely dependent upon the solvency and regularity of Uncle Sam as the great source of income payments, bankers of the District since the Civil War have tended towards gilt-edged conservatism in their investment policies.

Interesting to the economic historian as these post-Civil War developments must be, the author makes his major contribution in his description of the earlier period. But his contributions, it must be acknowledged, are mainly in the form of important evidence which the author has failed to relate to problems of major interest to historians. He presents, for example evidence that the District's banks helped finance internal improvements not only by stock purchases and loans to canal and turnpike companies but also by lending money to the City of Washington to permit the latter to pay for its own stock subscriptions. This adds interestingly to information previously supplied us by Prof. Carter Goodrich, but the author does not make the point. His interest, that is to say, is not in the part played by commercial banks in the formation of the capital required by an underdeveloped nation, but rather in their neglect of the "best principles of banking" in making long-term loans and investments.

Examples might be multiplied. Suffice it to observe that Cole's book has a good deal of evidence in support of Esther Taus' contention that the Treasury Department performed important "central banking" functions; that his pages have rich materials for the study of the development of business organization (for example, unchartered joint stock companies with *limited* liability); that he is especially suggestive in his treatment of note brokers and "Exchange Banking houses" as engaged in types of activities out of which investment banking was to develop, and so on. He never cites Taus, nor for that matter Redlich, W. B. Smith, Hammond, Wettereau, or other modern students of early American banking. His book is nevertheless far more than a comprehensive memoir that all bankers will want to possess. Based upon meticulous research in contemporary printed materials, and to a lesser extent in manuscript sources, and written with clarity and scrupulous care, Cole's book is an empirical study of more than ordinary importance for economic historians.

STUART BRUCHEY

Michigan State University

Crane Hook on the Delaware 1667-1699, an Early Swedish Lutheran Church and Community with the Historical Background of the Delaware River Valley. By JEANNETTE ECKMAN. [Published for the Delaware Swedish Colonial Society by the Institute of Delaware History and Culture.] Newark, Del.; University of Delaware Press, 1958. xv, 143 pp. maps and other illustrations. $3.50 softbound, $5.00 hardbound.

Jeannette Eckman, acknowledged dean of Delaware historians, formerly Director of the Delaware Federal Writers Project and one of the three editors of the excellent *Delaware, A Guide to the First State*, author of the recent revised edition of this work, and contributer of articles on Delaware history to various publications including the *Encyclopedia Britannica*, has in this little book brilliantly recreated and recorded a period of Delaware colonial history otherwise lost to scholar or layman. The importance of her work lies in its originality. Crane Hook, once some thousand acres of rural culture, is today merged and lost in the industrialized area of South Wilmington and the approach to the Delaware Memorial Bridge. The place name itself almost forgotten, only a marker on private commercial property commemorates the church of the Crane Hook congregation; and as Miss Eckman discovered in exploration, even this one remaining fact is inaccurate, for the actual site of the church was a half-mile distant. Working from old land records, journals, letters, and similar sources, Miss Eckman was able to establish for the first time the sequence of settlement in the area, adding greatly to our knowledge of the history of New Sweden.

The first three chapters of this book deal with the background of the Crane Hook settlement and are equally valuable to the reader, for they give perhaps the briefest, best, and most up-to-date description to be had of the colonization of New Sweden. This colonial venture is clearly shown as an offshoot of Dutch expansion in the New World,—Henry Hudson was the first explorer in Delaware Bay, and the Dutch established short-lived colonies in the Valley about 1624 and in 1631. The Dutch governor in New Amsterdam, Peter Minuit, could not forget the area and it was he who presented to the Swedish King the proposals resulting in the arrival of the ships "Kalmar Nyckel" and "Vogel Grip" to establish Fort Christina in 1638. The Dutch, who had virtually created the Swedish offspring, cast longing eyes upon the tiny colony as it developed in the next decade, and shortly thereafter Peter Stuyvesant built the rival Fort Casimir (Newcastle) six miles down the river, and finally took over the entire settlement in 1655.

It was after this time that the area on the western side of the Delaware River, below Fort Christina, known as Crane Hook, was settled—possibly first by Dutch inhabitants about 1658—probably by Swedes and Finns about 1660. In 1667, three years after the taking over of all New Netherlands by the English, Crane Hook Church was built. It marked an important step in the continuity of Swedish life in the Delaware Valley, for although an independent colony for a very brief time, the cultural influence of New Sweden was maintained in the area through the Swedish Lutheran Church. Crane Hook Church no longer exists but its site and probable description were recovered by Miss Eckman. It was a small log structure with overhanging gable roof, and thus symbolizes one of the most enduring Swedish contributions to American life—the "log cabin." (Indeed, the idea of the natively "American" log cabin with all its associations of frontier life has been so entrenched in popular and scholarly imagination that only in recent years was its real origin revealed.)

Crane Hook Church prospered until the end of the seventeenth century when the congregation decided to rebuild in a more convenient location near the site of the old fort. The stone building, completed in 1699 and named Holy Trinity, is the present "Old Swedes" Church of Wilmington, the major link in the chain of Swedish influence in the Delaware Valley. The information on the Crane Hook Congregation, so readably expounded by Miss Eckman, is not in any of the major sources on Delaware history. It is not included in J. Thomas Scharf's *History of Delaware, 1609-1888,* nor is it to be found in the comprehensive two volumes of Amandus Johnson, *The Swedish Settlements on the Delaware 1638-1664.* Miss Eckman's study of Crane Hook must thus be placed immediately after Johnson's work on any definitive bibliography of the history of the Delaware Valley. The author, the Institute of Delaware History and Culture, and the Swedish Colonial Society—whose first publication this is—must all share the honors for this well-written, well-illustrated and well presented little volume. It fulfills the Society's hope expressed in the Foreword, that although Crane Hook has disappeared, "knowing the human history made here by these early settlers enriches our thinking of the local past."

LORRAINE WAXMAN PEARCE

Washington, D. C.

Republicans Face the Southern Question: The New Departure Years, 1877-1897. By VINCENT P. DESANTIS. (*The Johns Hopkins University Studies in Historical and Political Science*, Series LXXVII, Number 1.) Baltimore: The Johns Hopkins Press, 1959. viii, 276. $5.

One of the great exercises in futility of American political history was the continuing effort of Republicans after Reconstruction to win back the Southern states. Professor De Santis with eminent success demonstrates in this volume that the Republican Party did not abandon the South in the years after Reconstruction, although it did abandon the Negroes, but rather went through a tortuous twisting and turning of policy, vainly seeking issues and groups on which to base a more solid party in the South.

Rutherford B. Hayes, after ending federal military intervention in the South, proceeded to woo the conservative whites with a program of old-fashioned Whiggery. This failed, and after the brief Garfield administration Chester A. Arthur developed a policy of cooperation with the budding independent movements of the South, only to find a Democrat succeeding him as President. Under Harrison, there was a brief flurry of Stalwartism, with the Lodge Bill for federal supervision of congressional elections, but that aroused no widespread popular support and was pushed aside to break the parliamentary log-jam of silver and tariff legislation. Finally, in the nineties there developed a confusing pattern of Republican fusion with populistic movements, a program that provided only one short-lived success in North Carolina.

In the end, the overall result was a progressive deterioration of the Republican position, with slight gains in the white counties but a precipitous decline in the black belts. A return to the Radical equalitarian program would have been incongruous for the party of big business and would have evoked hostility even in the North. The other elements, independent, greenbacker, and populistic, were even stranger bedfellows for the Republicans than the Negroes. The strongest group of potential Republicans, the conservative whites, were too deeply entrenched in the Democratic party. Add to that Republican factionalism, the fear of another Reconstruction in the South, and the inability of the national leadership to arrive at a consistent policy, and Republican frustration becomes in retrospect about as inevitable and predetermined as anything can be in history.

However, the fact that this is the history of an inevitable failure does not detract from the importance of the subject, and Professor De Santis has illuminated significantly Southern political history in the period. His research has been comprehensive and the book is solidly based on the manuscript and newspaper sources, including an investigation of Negro attitudes and reactions. This reviewer can cavil at only three points: an overall analysis of the reasons for Republican failure at the end of the book would have been helpful; the book is somewhat marred by minor typographical errors, and it is regrettable that a press whose name is synonymous with scholarship could publish such an important contribution without a bibliography.

George B. Tindall

University of North Carolina

A Life for the Confederacy. By Robert A. Moore. Edited by James W. Silver. Jackson, Tenn.: McCowat-Mercer Press, 1959. 182, Illus. $4.

Cleburne and His Command. By Irving A. Buck. Edited by Thomas R. Hay. Jackson, Tenn.: McCowat-Mercer Press, 1959. 378, Illus. $6.

Gardner's Photographic Sketch Book of the Civil War. By Alexander Gardner. Edited by E. F. Bleiler. New York: Dover Publications, 1959. 224, Illus. $6.

A general is only as good as the men who serve under him. Much of Caesar's greatness emanated from the valor of the Tenth Legion, and the same may be said of Charlemagne and his Paladins, of Cromwell and his Ironsides, and of Napoleon and the Old Guard. That the Southern Confederacy, doomed to failure from overwhelming odds from without and from shaky construction from within, could nevertheless produce such a group of daring generals as Lee, Jackson, Forrest, Cleburne and Stuart was due in large part to the powder-begrimed, ill-equipped and tattered warriors who became soldiers by necessity and killers by experience.

Soldiers on both sides of the conflict for American unity suffered privations and endured hardships that would make modern militarists cringe in horror. At the same time, they possessed a uniqueness of character and an indomitable will as typically American as sow belly and mountain dew. Such a soldier was Private Robert A. Moore, 17th Mississippi Infantry Regiment. He typified the common soldier of the Civil War—he liked a good shot of whiskey, was undoubtedly proficient in the use of profanity, had an eagle eye for a pretty ankle, and became extremely devout on the eve of every battle. He freely admitted his shortcomings as a soldier, once noting in his diary after coming off sentry duty that he "came near shooting a loose horse tonight because he would not stop and give the countersign." Yet Moore soon acquired the rudiments of war and demonstrated his mettle at Fredericksburg and Gettysburg. His death at Chickamauga in September, 1863, was as abrupt and as unnecessary as the war which caused it.

The value of his war diary lies not in battle descriptions. Moore was a modest person when describing his own part in action and generally summarized his role with such terse statements as: "I was in among the cannon balls at Mitchells Ford." Yet he compensated for a lack of battle narratives with straightforward, often humorous, pictures of camp life and his fellow soldiers. When a windstorm blew down all the regimental tents, baring the occupants to the ravages of the elements, Moore wrote drily, "The Col. is sitting on the floor of his tent looking like an old dove whose nest has been robbed." And after receiving a whiskey ration at the end of a hard, cold day, he philosophized: "I think the drams are a little too small for the weather."

Moore's intriguing and fast-moving journal is an untampered, realistic picture of war from within the ranks. It reflects the bitterness, loneliness and sacrifice of Confederate soldiers that is so often shaded into oblivion by the overcrowded school of Civil War romanticists. The book presents a keen insight into soldier life, and it is one of the best collections of primary material to be uncovered in recent years.

In the higher echelon of Confederate soldiers, Major General Patrick R. Cleburne held an exalted position. He was the highest ranking Irishman in the Southern armies, and he proved himself to be as courageous in battle as he was full of ideas. He almost lost his job early in the war when he recommended that slaves be made eligible for Confederate service through emancipation. Richmond vetoed the plan sharply, and though Cleburne soon received for bravery the sobriquet, "Stonewall Jackson of the West," he never again received further promotion. Wounded three times in the war (once being shot in the mouth), he always returned to lead his division into battle. When he fell dead before the Federal trenches at Franklin in November, 1864, men by the hundreds wept openly in the field.

Cleburne and His Command, first published in 1908, was written by the General's assistant adjutant-general, who combined personal reminiscences and official reports into a work that has long commanded a premium price on the secondhand book market. Irving Buck succeeded in blending together the thoroughness of a staff officer and the affection for Cleburne felt by all who knew him. Moreover, from his vantage point as a staff officer, Buck saw the actions of the Rebel brass and knew the feelings of the men in the ranks. The result is no mere biography; rather, it is a panorama of the battles and leaders of the Army of Tennessee. Cleburne is the main actor on the stages of Shiloh, Chickamauga, Chattanooga and Atlanta, and his supporting cast include Polk, Hardee, Bragg, Cheatham and a host of others.

This new edition of a classic military study has been annotated by Thomas R. Hay, a painstaking scholar and a leading authority on the war in the West. The value of modern scholarship has been added to a work already rich in content. This is the definitive study of Cleburne, a man so gallant in battle and so dauntless in the face of death that General Polk was moved to state: "When his division defended, no odds broke its lines; where it attacked, no numbers resisted its onslaught, save only once, and there is the grave of Cleburne."

With the easy availability of such huge collections of wartime photographs as *Divided We Fought, The Photographic History of the Civil War* and *Battles and Leaders of the Civil War*, the reprinting of the relatively smaller *Gardner's Photographic Sketch Book of the Civil War* seems somewhat superfluous. True, the work is the " only contemporary photographic book (1866) " of that struggle and, as such, will have value for collectors, but it contains little more than a potpourri of one hundred pictures—many of them already familiar—taken in towns and camps and on battlefields and rivers.

Alexander Gardner was chief assistant to the famous Civil War photographer Matthew Brady until 1863, when he formed his own independent field studio. His methods and subsequent photographs did not vary from those of his teacher, and his comprehension of things important appears to have suffered from the termination of services with Brady. That Gardner took many of the early wartime photographs later attributed to Brady is no sin on Brady's part, as the editor of this slim volume might have the reader believe. A basic tenet of American capitalism has always been that the employer reaps the larger share of the harvests of his employees.

The photographs in this work are interesting, not absorbing, and one might easily attach more importance to the accompanying sketches than to the pictures themselves. As the introduction to this new edition of Gardner's collection inadvertently pointed out, Brady remains the great name in Civil War photography, just as his own collection, *The Photographic History of the Civil War*, is the chief depository for a visual knowledge of the 1861-1865 conflict.

James I. Robertson, Jr.

State University of Iowa

The Old South Illustrated. By Porte Crayon. Edited by Cecil D. Eby, Jr. Chapel Hill: University of North Carolina Press, 1959. xxi, 295. $6.

This book is an anthology culled from a series of papers that first appeared in *Harper's New Monthly Magazine* between 1853 and 1860, the earliest of which, *Virginia Illustrated*, was published also in book form in 1857 and reprinted in 1871. " Porte Crayon " was the pen name of David Hunter Strother (1816-1888) of Martinsburg in what is now West Virginia—or Virginia irredenta, as its natives would maintain. Strother was a member of a prominent family, related through his mother to the brothers Philip Pendleton and John Esten Cooke and to John Pendleton Kennedy. Having failed, because of his father's political affiliations, to get an appointment to West Point, he studied art in New York under Samuel F. B. Morse. In 1840 he set out for a three-year trip to France and Italy, a member of that vast horde of American art-students so vividly described by Van Wyck Brooks in *The Dream of Arcadia* who poured into Europe to escape the cultural isolationism and stagnation that had for

Unlike his brother James, Thomas Harris does not seem to have devoted many months to the Revolutionary army. It would appear that he returned home and resumed farming after this one period of service. Little is known about him, but it can probably be said with truth that he was something of a " man about town."

Whatever his true character, in the 1780's Thomas formed a rather close attachment for Ann Goldsborough—so that there resulted from this relationship four children: James, Fanny, Robert, and Thomas. All four of them were too young to be self-supporting when their father died in the fall of 1791. However, in his will, of August 25th of that year, Thomas Harris decreed that his real and personal property

> . . . be sold vandue and that twenty pounds Current money . . . be paid yearly to the seport of my four children begotten of Ann Gouldsborough—that is to say James Thomas Fanne Robert till they come to the age of seven years old and the Rest of the Money to be Equally Divided Between my four Children James Thomas Fanne Robert.[6]

His brother James was appointed his " hol and sowl " executor.

In due time James Harris caused the will to be probated and took the necessary steps to serve as executor. After making an inventory of the estate, he arranged a sale of the land which his brother had held and which James thought the will authorized him to sell. However, when the lawyer handling the transfer examined the title to the land, he made a surprising discovery: the property had not been held in fee, as had been thought by all concerned, but had been entailed.[7]

This finding was of two-fold importance. It was agreed that Thomas Harris, who " was not seized in fee, but in tail, of the land," had no right to devise it. Of more importance was the fact that the property could not descend to Thomas's children because of their illegitimacy. James Harris, the executor of his brother's will, was the " heir in tail." The land belonged to James in his own right—as the next legitimate heir—and he promptly conveyed his rights to the purchaser, keeping the money for himself.[8]

Just about two years after this unexpected turn of events James Harris died intestate. His widow, Marry Harris, was appointed administratrix of his estate. This, in turn, led to still another development. A suit was brought on her administration bond—seeking to recover the estate of her deceased brother-in-law, Thomas Harris, for the use of the illegitimate children to whom Thomas had willed all of his estate.[9]

This action, brought for the benefit of the children of Thomas Harris and Ann Goldsborough, was taken to court in 1798 or 1799. Since there exists a gap in the Queen Anne's County records for this period, our information concerning the trial comes to us through the exceedingly rare pamphlet dealing with the County's ghost.

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[6] This will is located in the Queen Anne's County Wills, Liber SC No. 7, folio 306. Probated on October 11, 1791, this document was witnessed by Thomas Wilcoks and James and John Meradith, sons of Thomas Meradith.

[7] *Appearance of a Ghost*, p. 3. It should be noted that this pamphlet mistakenly dates Thomas Harris' death in 1790, one year too early.

[8] *Appearance of a Ghost*, p. 4.

[9] *Ibid.*, p. 4.

One thing of interest about the case is that a number of very important people were connected with the trial. The judge was James Tilghman—a member of one of the Eastern Shore's better-known families and chief justice of the second judicial district comprising Cecil, Kent, Queen Anne's, and Talbot Counties.[10] Robert Wright and Joseph H. Nicholson were the counsel for the plaintiffs. Robert Wright later became United States Senator from Maryland, and in the fall of 1806 he was elected governor of Maryland by the legislature.[11] Joseph H. Nicholson represented Queen Anne's County in the state legislature in 1796, 1797, and 1798.[12]

Richard Tilghman Earle and John Scott were the counsel for the defendant. When James Tilghman, judge of the second district died on April 19, 1809, Earle was appointed in his place on May 20, 1809.[13] John Scott, a Revolutionary War veteran,[14] was not as prominent as the other lawyers involved in this case.

According to our one account of the trial, based upon "attested notes, taken in court at the time by one of the council," the counsel on both sides agreed before the jury was sworn that the only thing which could be recovered was the balance of Thomas Harris's personal estate: in the first instance, "the land was entailed. Secondly—Because if it had been a fee simple estate no person was appointed by the will to make sale of the land. The testator had directed it to be sold, and no doubt believed that his executor would be authorised to make sale of it." [15]

According to our source there appears to have been another motive, besides the welfare of the children, guiding some of the people involved. For some time rumors had circulated that the ghost of Thomas Harris had frequently appeared to William Briggs during the lifetime of James Harris. These appearances, according to common report, were designed to make James return the proceeds of the sale to the orphan's court for the use of the four small children whom Thomas had left. Many people wanted to hear these extraordinary stories, circulating freely throughout the countryside, repeated and sworn to under oath.[16]

William Briggs, it is recorded, "was known to be a man of character, of firm, undaunted spirit; had been a soldier in the Revolutionary War, and perfectly disinterested between and unconnected with the parties." [17]

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[10] Emory, *Queen Anne's County*, p. 132.

[11] *Ibid.*, p. 37. In April, 1806, while he was still in the Senate, he was selected "Attorney General, vice William Pinkney" but declined the appointment.

[12] *Ibid.*, p. 367. He is remembered for having voted, in 1797, against the bill for universal suffrage, "because it included free blacks as well as white, and he would never consent to give the negro a participation in government." The next year, 1798, Nicholson introduced a bill to extend suffrage to all white citizens without any property qualifications. This law went into effect in 1803.

[13] *Ibid.*, p. 382.

[14] *Arch. Md.*, XVIII, *passim.*

[15] *Appearance of a Ghost*, p. 5.

[16] *Ibid.*, pp. 4-5.

[17] *Ibid.*, p. 5.

He had served in the Minute Company that was rushed from Queen Anne's County to Northampton Courthouse in 1776.[18] Later, on July 24, 1776, he enrolled in the Flying Camp.[19] As a private he served from June 6, 1778, to March 30, 1779, and was with Captain Jonathan Morris's company of the 7th Maryland Regiment at White Plains on September 9, 1778.[20] It should be noted that, despite the above statement of his disinterest in the " parties," William Briggs had been a lifelong friend of Thomas Harris and had attended Harris at the time of his death.

Because of the widely spread rumors about the ghost, the court called William Briggs as a witness. Briggs, who was forty-three years old at the time of the trial, stated that on a very clear day in the March following the death of Thomas Harris he was riding alone on a horse which had belonged to the deceased. Sometime between eight and nine o'clock in the morning, and just after he crossed a small branch, his horse started moving rapidly and then entered a lane bordering the field where Harris's grave was located. The horse " suddenly wheeled in a pannel of the fence, looked over the fence into the field where Thomas Harris was buried . . . and neighed very loud." [21] Briggs testified that he was sure the horse recognized its former master.

Briggs, who said that he " was acquainted with Thomas Harris when a boy and there had been great intimacy between them," reported that he then saw Thomas Harris coming toward him. Just before the apparition reached the fence, on this first appearance, it turned to the right and disappeared. Briggs did not see the thing's features nor did he speak to it, even though " T. Harris came within two pannels of the fence to him." [22] The spectre was dressed in the same clothes that Harris had worn the last time that Briggs had seen him alive. It always wore the same apparel, according to Briggs, whenever it appeared.

Several months later, one evening at dusk about the first of June, Thomas Harris's ghost appeared a second time. This time Briggs was plowing some three miles from the place where the grave was located. The ghost, dressed as before, came within two steps of Briggs and walked alongside him for about two hundred yards. Meanwhile, a young man, who was plowing along with Briggs, came up and the ghost disappeared—with no apparent motion of any particular part of his body. The helper did not see the ghost, and Briggs made no mention of what had taken place.[23]

After Briggs had gone to bed that night several unusual things happened. A loud groan was heard, but when Mrs. Briggs searched the house nothing could be found. Later, when Briggs was asleep, he received a blow that blackened his eyes and caused his nose to swell. Neither his wife, who was in bed with him, nor two young men who were in the room were awake at the time. Briggs was convinced that no person in the room had struck him.[24]

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[18] *Arch. Md.*, XVIII, 645; Emory, *Queen Anne's County*, pp. 283-284.

[19] *Arch. Md.*, XVIII, 50.

[20] *Ibid.*, XVIII, 190. The jacket to his file, showing his presence at White Plains, is preserved at the National Archives in Washington.

[21] *Appearance of a Ghost*, p. 6.

[22] *Ibid.*, p. 6.

[23] *Ibid.*, pp. 6-7.

Another two and a half months passed before the next recorded appearance of Harris' ghost. Toward the middle of August, about an hour after nightfall, William Briggs was on his way home when Harris's figure approached him and extended his weightless arm over Brigg's shoulder. The phantom said nothing, finally disappeared, and Briggs, "much alarmed," made his way to a neighbor's place and got a young man to go home with him.[25]

In October the ghost appeared three times in one morning. At dawn Briggs saw his former friend about one hundred yards from the house and about fifty yards from where Briggs himself was. Later, about eight o'clock, when Briggs was handing up blades [26] to one of his men, Thomas Harris's figure approached along the garden fence to within fifteen feet of where Briggs was working. He vanished ("always to the east") without the helper seeing him. The third appearance took place in the same spot about nine-thirty when the ghost came up to the fence and remained leaning on it within ten feet of Briggs.

Briggs pointed in that direction and asked his young assistant if he did not see Thomas Harris; the young man answered in the negative.[27] Then Briggs approached the apparition, climbed over the fence where it was standing, and the two walked off together—going about five hundred yards and conversing the whole way. At last it became clear to Briggs what Harris's ghost wanted of him. Thomas Harris was disturbed over the developments in the administration of his former estate. It was his ghostly wish that his brother James keep the estate intact until the children became of age at which time it should be divided among them.[28]

Thomas Harris's ghost then told Briggs the details of a secret conversation which had taken place between himself and his brother, James—a "conversation which passed between them on the east side of the wheat stacks, the day he was taken with his death sickness." [29] Then, after ordering Briggs to turn around, it disappeared. Briggs later related that the voice with which the ghost spoke was not the voice of the living man and that it was very low, so low in fact that often it could not be understood.

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[24] *Ibid.*, p. 7.

[25] *Ibid.*, pp. 7-8. After he arrived home he mentioned to his young companion what had happened. And, even before this episode, he had told James Harris that he had seen the ghost of his brother.

[26] Down unto fairly recent times it was the practice in this area to strip off the lower leaves or blades of corn and tie them in small bundles which were then stacked away for later use as feed for the animals on the farm.

[27] *Appearance of a Ghost*, p. 8. The young assistant, a John Bailey, supported Briggs's testimony at this point when he took the stand but said again that he saw nothing himself (p. 10).

[28] Those who have studied the recorded "appearances" of ghosts have noted that the motive which seems to lie behind a large number of these occurrences is the "urge to set right an injustice done in the settlement of an estate." In this case, however, Thomas Harris's ghost wished to prevent the injustice from happening. William Oliver Stevens, *Psychics and Common Sense: An Introduction to the Study of Psychic Phenomena* (New York, 1953), devotes a chapter to such cases.

Briggs then went to James Harris and told him he had seen his brother's ghost three times that morning. When Briggs asked James if he remembered the reported conversation at the wheat stacks, James said that he did, and he told Briggs what had taken place. Brigg's knowledge of the event convinced Harris that Briggs had really seen the ghost of his brother, for he was certain that no one else knew of that conversation. James agreed to follow the new plan for disposing of the property,[30] and Briggs reported this agreement to the ghost later that morning.

There were later conversations with the apparition, according to Briggs, but never again did the subject of the estate come up. What they talked of no one learned. Naturally enough those in court wanted to hear all the conversations with the ghost:

> The counsel were extremely anxious to hear from Mr. Briggs the whole of the conversation of the Ghost, and on his cross examination, took every means, without effect, to obtain it: they represented to him, that as a religious man, he was bound to disclose the whole truth, and nothing but the truth; he appeared extremely agitated when applied to, declared nothing short of loss of life should make him reveal the whole conversation, and claimed the protection of the court, that he had disclosed all he knew relative to the case.[31]

The court overruled the question of the counsel.

Just as the courtroom was left with its curiosity unabated, so are we. The author of our sole source of knowledge about this trial, having had only one interest—proving the existence of this Eastern Shore ghost—failed to record the decision of the court with regard to the contested property. This is indeed unfortunate for, combined with the fact that there is a gap in the Queen Anne's County records at this very time, his negligence leaves us ignorant of the outcome. Was ghostly justice triumphant? That is the question we are left with.

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[29] *Appearance of a Ghost*, pp. 8-9.

[30] *Ibid.*, p. 9.

[31] *Ibid.*, p. 10.

REVIEWS OF RECENT BOOKS

Shout Treason: The Trial of Aaron Burr. By FRANCIS F. BEIRNE. New York: Hastings House, 1959. 308. $5.

In the spring of 1805 a traveler set out on horseback from Washington. His immediate destination was Pittsburgh. His journey would carry him further in both miles and fortune. The traveler was Colonel Aaron Burr, until a few weeks before, the third Vice-President of the United States.

Burr had been a colorful figure in the fight for American Independence and in the civil life of the infant nation. If attributed to a character of fiction, his personality would seem overdrawn. Of arresting appearance, high intellect, liberal education, aristocratic background and almost hypnotic charm in conversation, he was one of the more striking figures who has appeared on the stage of public life in America.

Two years later he was a prisoner in Richmond, Virginia, charged with treason. In those two short years his activities insured that on the pages of history his name would appear in type bolder than that usually accorded a Vice-President and he would become better known than many of his contemporaries whose achievements were more deserving of credit.

While it was not known publicly, when Burr left Washington he was insolvent, financially and politically. Never high in favor with Washington and suspect in the eyes of Jefferson, his brilliant performance while presiding at the impeachment of Justice Chase closed his official political career. Because of his duel with Hamilton he was under indictment in New York and New Jersey. His income was insufficient to maintain the living standards he had established. Balanced against this side of the ledger was complete self confidence and a personal ambition comparable only with his devotion to his one child, a daughter of great personal charm who fully returned her father's affection.

While Colonel Burr was the central figure in what was, perhaps, the most sensational criminal trial in the annals of the United States, persons and influences of greater importance were involved. To this reader the volume is secondarily the history of that trial. In a less disturbed period with more deliberate action by the Government before instituting proceedings the result may well have been either no trial or a successful prosecution. Burr's activities were seized upon as an issue to be capitalized by powerful political forces.

The struggle between the Federalists advocating an all powerful central government and the newly organized party seeking containment of those powers was in the early stages of the conflict which has continued until today. Among the arch proponents of the forces of centralization was John Marshall, Chief Justice of the United States, who presided at the trial. The chief architect of the opposing party was Thomas Jefferson, President of the United States. These were the real contestants in the Burr case and they were engaged in a deadly serious political maneuver.

Before Burr was apprehended Jefferson issued a Proclamation asserting that there could be no doubt that Burr was guilty. In that day, as in this, that was an extraordinary pronouncement. While Burr was awaiting trial Marshall attended a dinner given in honor of the accused. In that day, as in this, that was an extraordinary act.

Against a background of the drab surroundings of the old Hall of the House of Delegates in Richmond, devoid of the trappings of pageantry which marked the trials of Warren Hastings and Samuel Chase, the author conjures up an interesting group of " Shadow-shapes," including bearers of distinguished names: Jefferson, Marshall, Andrew Jackson, John Randolph of Roanoke (whose selection as foreman of the Grand Jury was enough to cause eyebrows to be raised), Wickham, Hay, McRae, Martin (of Maryland), Wirt, the young Botts whose career was improvidently cut short in the theatre fire, the celebrated editor Ritchie, the Randolphs, Peyton and Edmund, David Robertson who preserved the incidents of trial, the aspiring young artist, St. Memin, the fledging writer, Washington Irving, the notable " Two Parsons " Buchanan and Blair and the youthful Winfield Scott. We are told of the allowance by Congress of the disputed and questionable claims of General Eaton on the eve of his testimony against Burr. General Wilkinson, the posturing professional patriot of the plot, the strange Blennerhassetts and many others are included. In attendance was a cross section of the citizenry of the Commonwealth, the fine raiment of the easterner mingling with the leathern hunting garments of the frontiersman. There also was Colonel Edward Carrington, closely related by marriage to the presiding judge, who named him foreman of the jury. Again we have cause for comment in that day as in this. Parenthetically, we find the wife of the foreman sending delicacies to Blennerhassett (anonymously for the nonce it is true) while he was awaiting trial.

If Marshall conferred with Cyrus Griffin, the resident judge who sat with him, there is no indication of it in his opinions. Griffin had ability. In age he was seven years senior. With a career of distinction behind him, for the past eighteen years he had presided over the federal courts in Virginia with additional credit to his fame. Marshall's only judicial experience was six years as Chief Justice. It is probable that Griffin was one of the few objective observers of the trial and it is regrettable that he left no record of his impressions. If he concurred in the opinions it is singular that Marshall made no allusion to support from such a source as this veteran judge appointed by Washington.

Both Jefferson and Marshall were careful to avoid a test of powers between the heads of the Governmental branches they represented. Both compromised when it appeared that Burr's application for a subpoena to require the presence of Jefferson might provide such an issue. Marshall's tactics in Marbury v. Madison was recent history.

The result of the trial was " inconclusive " but the verdict, as shown by the record, was phrased as a result of considered deliberation by the jury. In retrospect this *cause celebrèbre* was a mere skirmish between advocates of opposing political theories. It did illustrate the high state of excitement to which the public can be aroused by sensational charges. It shows the lengths to which men in places of high responsibility will sometimes go when objectivity is lost in waging a crusade.

The volume is well worth study by the student of American history to whom it will provide interesting reading. The well told story with descriptions and recitals of the conduct of the characters is highly entertaining with a touch of romance which will appeal to the casual reader. By those who prefer direct references to source material the lack of foot-notes may be regretted. However, the bibliography reflects a wide range of research and sources available to the scholar who may desire to pursue his studies further.

The author, a distinguished editor and columnist, is a Virginian by birth and education and was a Rhodes Scholar at Oxford University. He is the author of several other books of note. In this one he entertainingly reveals an intimate knowledge of the traditions and locations of Richmond relating to this occurrence of more than a hundred and fifty years ago as well as a careful study of the facts with which he deals.

STERLING HUTCHESON

Boydton, Virginia

Mexico, 1825-1828. The Journal and Correspondence of Edward Thornton Tayloe. Edited by C. HARVEY GARDINER. Chapel Hill: The University of North Carolina Press, 1959. 212. $5.

The author of the journal and letters, here edited as a unit, was the son of a well-to-do Virginia planter. Educated at Harvard and seeking congenial employment in which he could render a public service, he spent three years in Mexico as the unpaid private secretary of United States Minister Joel R. Poinsett. He approached his post with zest and enthusiasm, albeit with certain prejudices. Among these was his repeatedly expressed and bitter antipathy toward Roman Catholicism.

Young Tayloe thus witnessed at first hand the establishment of United States relations with Mexico by a minister who tried at times to influence Mexican politics (Witness Poinsett's well-known work with the *Yorkino* (York Rite) Masonic Lodge).. Unfortunately for the present day historian the writer was exceedingly discreet. When one of his early letters to a brother found its way into print, he sharply enjoined the brother to hold all future reports on public affairs in strictest confidence. Occasional comments on British activities were shrewd, statements concerning Spanish colonialism were sharply critical, and references to Mexican leaders and conditions were incisive. Probably the most valuable feature of the volume, however, is the indirect light shed on early United States diplomatic activities. These were geared to an odd mixture of personal relations and personal politics all slowed to the tempo of sailing ships by water and of horse travel by land—and the whole conducted by gentlemen genuinely inspired by democratic principles who nevertheless kept a keen eye trained on home politics.

Descriptions of scenery and travel conditions form the major portions of the account. Little space is devoted to social affairs and customs. Most of the trips reported, aggregating some 2,000 miles, were accomplished on horseback and over trails that were both rough and hazardous. The young writer showed passing interest in archaeological remains but his chief attention was devoted to mines and geography. Indeed, he urged his family to invest in one or two promising ventures. Caustic comments on travel accommodations were tempered by repeated acknowledgment of the friendliness of the Mexican people. Incidentally, he reports on one trip in company with John Slidell, later prominent in the diplomatic relations of the two countries, at a date earlier than any such trip noted by Slidell's biographer.

The editor's knowledge of the general field and his scholarship are skillfully shown, his cross references to other authorities are excellent, and only a few minor errors escaped his notice. For instance, the latitude cited on page 166 does not coincide with that shown on the end papers; also some of Tayloe's references to directions and points of the compass are slightly inaccurate. Incidentally, the end papers appear at first glance to represent all Mexico instead of only a limited portion of it. An inset showing the section covered would have helped to orient the reader. More important, though the title of the volume restricts the story to Mexico, the Epilogue is puzzling. If given at all why is it so strangely condensed? The expulsion of General William Henry Harrison from Colombia was a most colorful affair. Other documents and reports concerning it would have been most welcome. The reader wonders why, if the episode is mentioned at all, he is given such a scant glimpse of this tantalizing story when the total length of the volume here published is less than 225 pages.

This call for " more of the same " indicates that the reviewer considers this little publication has real value. It gives the reader that unconscious realism which research workers so ardently seek and so seldom find in the cold documents of the period.

W. H. CALLCOTT

University of South Carolina

The Development of Banking in the District of Columbia. By DAVID M. COLE. New York: The William-Frederick Press, 1959. x, 629 pp. $10.

In this careful history of banking in the District of Columbia from its beginnings in the 1790's until the 1950's, Dr. David M. Cole places main emphasis upon the unique nature of the economy in which it developed. In that economy commerce, manufacturing, and finance have never amounted to much, especially in comparison with their proportions in other major cities. Foreign trade was fairly important until the port and city of Alexandria, originally part of the District, reverted in 1846 to the control of Virginia. Such light manufactures as the making of beer, bread, and bricks developed, but their products were aimed at the local market. Washington seems never to have been a center of finance. The relative lack of these more normal investment and loan outlets has always exerted an important influence upon the character of banking in the District, especially before the Civil War. Since then, the more significant element of uniqueness in the District's economy has been the presence of the national government.

Nothing, it may be observed, reflects so well the title of the pre-Civil War balance of political power towards the states rather than the national government as does the relative sparseness of the Capital's population, and the dismal, undeveloped appearance of the Capital City itself. Even in 1865 the City's parks were unimproved and neglected, its streets mainly unpaved, its lighting system antiquated, its sewage system non-existent. Population did not begin to grow rapidly till after the War. Then it expanded during two World Wars and during the deep depression of the 1930's mainly in consonance with the expansion in activities of the national government. To the consumer needs of this population, both resident and visiting, banking services of the District are today largely oriented. Freed by the minor importance of industry and trade from the fluctuations experienced by many other areas; securely dependent upon the solvency and regularity of Uncle Sam as the great source of income payments, bankers of the District since the Civil War have tended towards gilt-edged conservatism in their investment policies.

Interesting to the economic historian as these post-Civil War developments must be, the author makes his major contribution in his description of the earlier period. But his contributions, it must be acknowledged, are mainly in the form of important evidence which the author has failed to relate to problems of major interest to historians. He presents, for example evidence that the District's banks helped finance internal improvements not only by stock purchases and loans to canal and turnpike companies but also by lending money to the City of Washington to permit the latter to pay for its own stock subscriptions. This adds interestingly to information previously supplied us by Prof. Carter Goodrich, but the author does not make the point. His interest, that is to say, is not in the part played by commercial banks in the formation of the capital required by an underdeveloped nation, but rather in their neglect of the "best principles of banking" in making long-term loans and investments.

Examples might be multiplied. Suffice it to observe that Cole's book has a good deal of evidence in support of Esther Taus' contention that the Treasury Department performed important "central banking" functions; that his pages have rich materials for the study of the development of business organization (for example, unchartered joint stock companies with *limited* liability); that he is especially suggestive in his treatment of note brokers and " Exchange Banking houses " as engaged in types of activities out of which investment banking was to develop, and so on. He never cites Taus, nor for that matter Redlich, W. B. Smith, Hammond, Wettereau, or other modern students of early American banking. His book is nevertheless far more than a comprehensive memoir that all bankers will want to possess. Based upon meticulous research in contemporary printed materials, and to a lesser extent in manuscript sources, and written with clarity and scrupulous care, Cole's book is an empirical study of more than ordinary importance for economic historians.

STUART BRUCHEY

Michigan State University

Crane Hook on the Delaware 1667-1699, an Early Swedish Lutheran Church and Community with the Historical Background of the Delaware River Valley. By JEANNETTE ECKMAN. [Published for the Delaware Swedish Colonial Society by the Institute of Delaware History and Culture.] Newark, Del.; University of Delaware Press, 1958. xv, 143 pp. maps and other illustrations. $3.50 softbound, $5.00 hardbound.

Jeannette Eckman, acknowledged dean of Delaware historians, formerly Director of the Delaware Federal Writers Project and one of the three editors of the excellent *Delaware, A Guide to the First State*, author of the recent revised edition of this work, and contributer of articles on Delaware history to various publications including the *Encyclopedia Britannica,* has in this little book brilliantly recreated and recorded a period of Delaware colonial history otherwise lost to scholar or layman. The importance of her work lies in its originality. Crane Hook, once some thousand acres of rural culture, is today merged and lost in the industrialized area of South Wilmington and the approach to the Delaware Memorial Bridge. The place name itself almost forgotten, only a marker on private commercial property commemorates the church of the Crane Hook congregation; and as Miss Eckman discovered in exploration, even this one remaining fact is inaccurate, for the actual site of the church was a half-mile distant. Working from old land records, journals, letters, and similar sources, Miss Eckman was able to establish for the first time the sequence of settlement in the area, adding greatly to our knowledge of the history of New Sweden.

The first three chapters of this book deal with the background of the Crane Hook settlement and are equally valuable to the reader, for they give perhaps the briefest, best, and most up-to-date description to be had of the colonization of New Sweden. This colonial venture is clearly shown as an offshoot of Dutch expansion in the New World,—Henry Hudson was the first explorer in Delaware Bay, and the Dutch established short-lived colonies in the Valley about 1624 and in 1631. The Dutch governor in New Amsterdam, Peter Minuit, could not forget the area and it was he who presented to the Swedish King the proposals resulting in the arrival of the ships "Kalmar Nyckel" and "Vogel Grip" to establish Fort Christina in 1638. The Dutch, who had virtually created the Swedish offspring, cast longing eyes upon the tiny colony as it developed in the next decade, and shortly thereafter Peter Stuyvesant built the rival Fort Casimir (Newcastle) six miles down the river, and finally took over the entire settlement in 1655.

It was after this time that the area on the western side of the Delaware River, below Fort Christina, known as Crane Hook, was settled—possibly first by Dutch inhabitants about 1658—probably by Swedes and Finns about 1660. In 1667, three years after the taking over of all New Netherlands by the English, Crane Hook Church was built. It marked an important step in the continuity of Swedish life in the Delaware Valley, for although an independent colony for a very brief time, the cultural influence of New Sweden was maintained in the area through the Swedish Lutheran Church. Crane Hook Church no longer exists but its site and probable description were recovered by Miss Eckman. It was a small log structure with overhanging gable roof, and thus symbolizes one of the most enduring Swedish contributions to American life—the "log cabin." (Indeed, the idea of the natively "American" log cabin with all its associations of frontier life has been so entrenched in popular and scholarly imagination that only in recent years was its real origin revealed.)

Crane Hook Church prospered until the end of the seventeenth century when the congregation decided to rebuild in a more convenient location near the site of the old fort. The stone building, completed in 1699 and named Holy Trinity, is the present "Old Swedes" Church of Wilmington, the major link in the chain of Swedish influence in the Delaware Valley. The information on the Crane Hook Congregation, so readably expounded by Miss Eckman, is not in any of the major sources on Delaware history. It is not included in J. Thomas Scharf's *History of Delaware, 1609-1888,* nor is it to be found in the comprehensive two volumes of Amandus Johnson, *The Swedish Settlements on the Delaware 1638-1664.* Miss Eckman's study of Crane Hook must thus be placed immediately after Johnson's work on any definitive bibliography of the history of the Delaware Valley. The author, the Institute of Delaware History and Culture, and the Swedish Colonial Society—whose first publication this is—must all share the honors for this well-written, well-illustrated and well presented little volume. It fulfills the Society's hope expressed in the Foreword, that although Crane Hook has disappeared, "knowing the human history made here by these early settlers enriches our thinking of the local past."

LORRAINE WAXMAN PEARCE

Washington, D. C.

Republicans Face the Southern Question: The New Departure Years, 1877-1897. By VINCENT P. DESANTIS. (*The Johns Hopkins University Studies in Historical and Political Science*, Series LXXVII, Number 1.) Baltimore: The Johns Hopkins Press, 1959. viii, 276. $5.

One of the great exercises in futility of American political history was the continuing effort of Republicans after Reconstruction to win back the Southern states. Professor De Santis with eminent success demonstrates in this volume that the Republican Party did not abandon the South in the years after Reconstruction, although it did abandon the Negroes, but rather went through a tortuous twisting and turning of policy, vainly seeking issues and groups on which to base a more solid party in the South.

Rutherford B. Hayes, after ending federal military intervention in the South, proceeded to woo the conservative whites with a program of old-fashioned Whiggery. This failed, and after the brief Garfield administration Chester A. Arthur developed a policy of cooperation with the budding independent movements of the South, only to find a Democrat succeeding him as President. Under Harrison, there was a brief flurry of Stalwartism, with the Lodge Bill for federal supervision of congressional elections, but that aroused no widespread popular support and was pushed aside to break the parliamentary log-jam of silver and tariff legislation. Finally, in the nineties there developed a confusing pattern of Republican fusion with populistic movements, a program that provided only one short-lived success in North Carolina.

In the end, the overall result was a progressive deterioration of the Republican position, with slight gains in the white counties but a precipitous decline in the black belts. A return to the Radical equalitarian program would have been incongruous for the party of big business and would have evoked hostility even in the North. The other elements, independent, greenbacker, and populistic, were even stranger bedfellows for the Republicans than the Negroes. The strongest group of potential Republicans, the conservative whites, were too deeply entrenched in the Democratic party. Add to that Republican factionalism, the fear of another Reconstruction in the South, and the inability of the national leadership to arrive at a consistent policy, and Republican frustration becomes in retrospect about as inevitable and predetermined as anything can be in history.

However, the fact that this is the history of an inevitable failure does not detract from the importance of the subject, and Professor De Santis has illuminated significantly Southern political history in the period. His research has been comprehensive and the book is solidly based on the manuscript and newspaper sources, including an investigation of Negro attitudes and reactions. This reviewer can cavil at only three points: an overall analysis of the reasons for Republican failure at the end of the book would have been helpful; the book is somewhat marred by minor typographical errors, and it is regrettable that a press whose name is synonymous with scholarship could publish such an important contribution without a bibliography.

George B. Tindall

University of North Carolina

A Life for the Confederacy. By Robert A. Moore. Edited by James W. Silver. Jackson, Tenn.: McCowat-Mercer Press, 1959. 182, Illus. $4.

Cleburne and His Command. By Irving A. Buck. Edited by Thomas R. Hay. Jackson, Tenn.: McCowat-Mercer Press, 1959. 378, Illus. $6.

Gardner's Photographic Sketch Book of the Civil War. By Alexander Gardner. Edited by E. F. Bleiler. New York: Dover Publications, 1959. 224, Illus. $6.

A general is only as good as the men who serve under him. Much of Caesar's greatness emanated from the valor of the Tenth Legion, and the same may be said of Charlemagne and his Paladins, of Cromwell and his Ironsides, and of Napoleon and the Old Guard. That the Southern Confederacy, doomed to failure from overwhelming odds from without and from shaky construction from within, could nevertheless produce such a group of daring generals as Lee, Jackson, Forrest, Cleburne and Stuart was due in large part to the powder-begrimed, ill-equipped and tattered warriors who became soldiers by necessity and killers by experience.

Soldiers on both sides of the conflict for American unity suffered privations and endured hardships that would make modern militarists cringe in horror. At the same time, they possessed a uniqueness of character and an indomitable will as typically American as sow belly and mountain dew. Such a soldier was Private Robert A. Moore, 17th Mississippi Infantry Regiment. He typified the common soldier of the Civil War—he liked a good shot of whiskey, was undoubtedly proficient in the use of profanity, had an eagle eye for a pretty ankle, and became extremely devout on the eve of every battle. He freely admitted his shortcomings as a soldier, once noting in his diary after coming off sentry duty that he "came near shooting a loose horse tonight because he would not stop and give the countersign." Yet Moore soon acquired the rudiments of war and demonstrated his mettle at Fredericksburg and Gettysburg. His death at Chickamauga in September, 1863, was as abrupt and as unnecessary as the war which caused it.

The value of his war diary lies not in battle descriptions. Moore was a modest person when describing his own part in action and generally summarized his role with such terse statements as: "I was in among the cannon balls at Mitchells Ford." Yet he compensated for a lack of battle narratives with straightforward, often humorous, pictures of camp life and his fellow soldiers. When a windstorm blew down all the regimental tents, baring the occupants to the ravages of the elements, Moore wrote drily, "The Col. is sitting on the floor of his tent looking like an old dove whose nest has been robbed." And after receiving a whiskey ration at the end of a hard, cold day, he philosophized: "I think the drams are a little too small for the weather."

Moore's intriguing and fast-moving journal is an untampered, realistic picture of war from within the ranks. It reflects the bitterness, loneliness and sacrifice of Confederate soldiers that is so often shaded into oblivion by the overcrowded school of Civil War romanticists. The book presents a keen insight into soldier life, and it is one of the best collections of primary material to be uncovered in recent years.

In the higher echelon of Confederate soldiers, Major General Patrick R. Cleburne held an exalted position. He was the highest ranking Irishman in the Southern armies, and he proved himself to be as courageous in battle as he was full of ideas. He almost lost his job early in the war when he recommended that slaves be made eligible for Confederate service through emancipation. Richmond vetoed the plan sharply, and though Cleburne soon received for bravery the sobriquet, "Stonewall Jackson of the West," he never again received further promotion. Wounded three times in the war (once being shot in the mouth), he always returned to lead his division into battle. When he fell dead before the Federal trenches at Franklin in November, 1864, men by the hundreds wept openly in the field.

Cleburne and His Command, first published in 1908, was written by the General's assistant adjutant-general, who combined personal reminiscences and official reports into a work that has long commanded a premium price on the secondhand book market. Irving Buck succeeded in blending together the thoroughness of a staff officer and the affection for Cleburne felt by all who knew him. Moreover, from his vantage point as a staff officer, Buck saw the actions of the Rebel brass and knew the feelings of the men in the ranks. The result is no mere biography; rather, it is a panorama of the battles and leaders of the Army of Tennessee. Cleburne is the main actor on the stages of Shiloh, Chickamauga, Chattanooga and Atlanta, and his supporting cast include Polk, Hardee, Bragg, Cheatham and a host of others.

This new edition of a classic military study has been annotated by Thomas R. Hay, a painstaking scholar and a leading authority on the war in the West. The value of modern scholarship has been added to a work already rich in content. This is the definitive study of Cleburne, a man so gallant in battle and so dauntless in the face of death that General Polk was moved to state: "When his division defended, no odds broke its lines; where it attacked, no numbers resisted its onslaught, save only once, and there is the grave of Cleburne."

With the easy availability of such huge collections of wartime photographs as *Divided We Fought, The Photographic History of the Civil War* and *Battles and Leaders of the Civil War*, the reprinting of the relatively smaller *Gardner's Photographic Sketch Book of the Civil War* seems somewhat superfluous. True, the work is the " only contemporary photographic book (1866) " of that struggle and, as such, will have value for collectors, but it contains little more than a potpourri of one hundred pictures—many of them already familiar—taken in towns and camps and on battlefields and rivers.

Alexander Gardner was chief assistant to the famous Civil War photographer Matthew Brady until 1863, when he formed his own independent field studio. His methods and subsequent photographs did not vary from those of his teacher, and his comprehension of things important appears to have suffered from the termination of services with Brady. That Gardner took many of the early wartime photographs later attributed to Brady is no sin on Brady's part, as the editor of this slim volume might have the reader believe. A basic tenet of American capitalism has always been that the employer reaps the larger share of the harvests of his employees.

The photographs in this work are interesting, not absorbing, and one might easily attach more importance to the accompanying sketches than to the pictures themselves. As the introduction to this new edition of Gardner's collection inadvertently pointed out, Brady remains the great name in Civil War photography, just as his own collection, *The Photographic History of the Civil War*, is the chief depository for a visual knowledge of the 1861-1865 conflict.

JAMES I. ROBERTSON, JR.

State University of Iowa

The Old South Illustrated. By PORTE CRAYON. Edited by CECIL D. EBY, JR. Chapel Hill: University of North Carolina Press, 1959. xxi, 295. $6.

This book is an anthology culled from a series of papers that first appeared in *Harper's New Monthly Magazine* between 1853 and 1860, the earliest of which, *Virginia Illustrated*, was published also in book form in 1857 and reprinted in 1871. " Porte Crayon " was the pen name of David Hunter Strother (1816-1888) of Martinsburg in what is now West Virginia—or Virginia irredenta, as its natives would maintain. Strother was a member of a prominent family, related through his mother to the brothers Philip Pendleton and John Esten Cooke and to John Pendleton Kennedy. Having failed, because of his father's political affiliations, to get an appointment to West Point, he studied art in New York under Samuel F. B. Morse. In 1840 he set out for a three-year trip to France and Italy, a member of that vast horde of American art-students so vividly described by Van Wyck Brooks in *The Dream of Arcadia* who poured into Europe to escape the cultural isolationism and stagnation that had for so long afflicted the United States. During the Civil War, in spite of his Southern background, he joined the Union army, in which he rose to the rank of colonel; and later he turned his war experiences to good use in a series of articles that was also published by *Harper's*. But his adherence to the Union cost him many of his life-long friends.

Strother was a member of that now almost extinct type: the author-illustrator, like the much greater George Du Maurier in England a generation later. The editor points out that, in the 1850's, illustrations were an absolute necessity for a successful magazine; hence, a man who could both write acceptably and provide drawings suitable for wood-engraving could command the then astronomical sum of four or five hundred dollars for an article. And since *Harper's* had the largest circulation of any American magazine of the period, Strother became a very well-known figure. The editor even claims that, during the 'fifties, " ten read his work for every one who had even heard of Hawthorne, Melville, or Whitman," and this claim is probably correct. Now the night of oblivion has closed firmly over him.

These selections from Strother's work include, first, an account of a fishing trip to the Falls of the Blackwater River, near what is now Davis, West Virginia. Then there is a description of a journey by carriage that began at Staunton and took in parts of the Shenandoah Valley, Natural Bridge, some of the Virginia Springs and then returned, by way of Lynchburg, to Charlottesville. There is also a description of the Dismal Swamp, and finally, from *North Carolina Illustrated* and *A Winter in the South*, sketches of parts of North Carolina and of Tennessee. The modern reader who is familiar with these localities as they are today will naturally derive the greatest pleasure from the book.

Whatever may have been the popularity of Strother in his own day, his importance now is largely archaeological. To a modern reader, his descriptions seem over-written and his humor out-dated. Nothing goes out of style so quickly as does humor; the comic touch of the 'fifties seems extremely heavy-handed today. So the most interesting aspect of the book and the one that justifies its revival is its picture of a long-vanished America. Strother had the advantage of writing just before the war that split our history into two parts; without knowing it, he caught in his drawings and his descriptions an America that was very soon to disappear forever. It is a trite remark but nevertheless a true one that the American scene as depicted in any book of this period seems infinitely remote; we are startled when we stop to calculate that Strother was writing only a trifle more than a century ago, so great has been the change. When he and his friends ventured into the mountains of West Virginia, they were entering a real wilderness; the inns at which he stopped in the Valley of Virginia seem Elizabethan in their primitive accommodations and their incredible quantities of food. It was a crude age—only ten years earlier Dickens had drawn his blistering picture of American gaucherie—yet the modern American who finds it increasingly difficult to get a decent meal in any public establishment will enjoy reading of a day when a traveller driving out of Staunton could shoot " pheasant " from his carriage, when most inns served venison at every supper, and when the best apple brandy in Tennessee cost twelve and a half cents a quart.

TENCH FRANCIS TILGHMAN
The Virginia Polytechnic Institute

The Royal Governors of Georgia, 1754-1775. By W. W. ABBOT. (Published for The Institute of Early American History and Culture, at Williamsburg.) Chapel Hill; The University of North Carolina Press, 1959. vii, 198. $5.

The main purpose of this book is to present the personalities and the policies of the three royal governors of Georgia: John Reynolds (1754-1757), Henry Ellis (1757-1760), and Sir James Wright (1760-1775). Reynolds, a career-seeking naval officer, " left the colony in worse condition than he had found it." Ellis, " an odd and rather wonderful Englishman," put " the prosperity of the inhabitants first." Wright, a " professional," served the King faithfully until the end.

There is implied in these three accounts an explanation of the coming of the revolution in Georgia. This is a more important subject than the lives of the governors and makes the book of general interest to all concerned with the revolution in America. Abbot gives a picture of a class society: placemen loyal to England, merchants and planters somewhat divided in allegiance, and the lesser folk of the town and back country. The contest in Georgia boiled down to a struggle between Wright and the Liberty Boys.

The Liberty Boys were merchants and planters who engineered a break with England by driving the reluctant members of their own class along. There were no economic grievances in Georgia, for the colony was in the midst of an explosion of prosperity. If there were no economic grievances and since both Ellis and Wright were as able and sympathetic governors as could be found in America, why did the Liberty Boys seek a revolution? Abbot blames " forces from the outside," specifically the drag of South Carolina radicals. " Had the Savannah River been fifty miles wide instead of only a few yards, the people of Georgia would hardly have even considered breaking with Britain in 1776."

Lieutenant Governor Bull of South Carolina thought South Carolina influenced by news from the north; Wright thought Georgia influenced by news from South Carolina. Both were no doubt right. There was a chain reaction running the length of the colonies, which helped the colonies vibrate as one. Yet there was a situation in each colony which made the appeal to revolution from the north quite strong. Abbot with great insight opens up the Georgia situation. On pages 128-129 Abbot suggests that Georgia in the 1760's might be compared with Virginia after 1688. Georgia had then reached a stage of " wealth, self-assurance and political maturity" where she demanded as of right self-government. Perhaps the Georgians were merely trying to do what Englishmen had done in 1688. Abbot mentions that " the majority of the Assembly was quite ready to grasp at the powers of the Governor or Council, but . . . they were leery of giving offense to King or Parliament." The merchants and planters certainly wanted to be respected and to be given a share of the rule, to control the Council, to appoint the judges, etc.—to rule out arbitrariness in government. Abbot might add to his theme by looking at the royal placemen in Georgia which he did under Reynolds but failed to do under the other two governors. Were the placemen entrenched in the Council as they were in South Carolina? The Georgia and South Carolina merchants and planters might have been in a similar position. Then Abbot would not need to overemphasize the amount of unanimity in South Carolina.

Abbot has done a superb job on the governors, their successes and failures. The next task is to give faces and names to the Liberty Boys. As there were only fifty to one hundred families who were of importance, this job could be done with a vigorous and intensive search of all of the records.

GEORGE C. ROGERS, JR.

University of South Carolina

The Maryland and Delaware Genealogist. Edited by RAYMOND B. CLARK, JR. Vol. I, No. 1. (Sept. 1959) 24 pp. $5 per year; single issue $1.50.

Maryland and Delaware genealogists and historians will now be happy to find that a periodical concerned with genealogical source material is again available to them. *The Maryland and Delaware Genealogist,* published in Washington, D. C., made its first appearance in September of this year with an auspicious beginning in the publication of certain hard to find source materials. Among these must be mentioned early Calvert County wills, which will be of much interest to those whose investigations are constantly frustrated by the destruction of records in that early county. Attractively multilithed and neatly arranged, the first issue of *The Genealogist* is a welcome arrival among the periodical bibliography of the two-state area involved.

JOHN D. KILBOURNE

Maryland Historical Society

The Origin and Meaning of the Name "Protestant Episcopal." By ROBERT W. SHOEMAKER. New York: American Church Publications, 1959. xx, 339. $3.95.

Throughout the Middle Ages the Church in Europe maintained a degree of unity under the leadership of the Bishop of Rome, but oftimes strong kings and emperors permitted little more than nominal authority over their subjects on the part of the bishop who claimed to be the successor of St. Peter. The terms *Ecclesia Anglicana, Ecclesia Gallicanum, Ecclesia Scoticanum* and a host of others were often used to designate the Church in the several national jurisdictions. It was only natural, then, that the Church of the English should simply translate this title to designate themselves when the breach with Rome occurred in the Sixteenth Century.

And as long as the American colonies remained part and parcel of the English kingdom, the term Church of England was sufficient to designate those priests and congregations which remained in communion with the see of Canterbury. When the American congregations were forced to reorganize at the close of the American Revolution, the term *Protestant Episcopal Church in the United States of America* was chosen as the official designation for those who continued to be in communion with the English Church.

From the beginning there were those who expressed the opinion that the title did not represent the true picture of the Episcopal Church, and since the Oxford Movement in the second quarter of the nineteenth century, there have been numerous attempts to change the name of the Church. For example, the Confederate Church seriously considered the title " The Reformed Catholic Church." Most informed Protestants readily concede that Episcopalians are not protestant in the same sense as those who call themselves Evangelical Churches. The discussion over the years has usually developed more heat than light. Dr. Shoemaker in a scholarly treatise has traced the origin and the meaning of the title from its earliest use. He has shown the way in which the words have been used over the ages, how they have come to connote a variety of meanings, and why Protestant Episcopalians do not view themselves as Non-catholics.

While a rose may smell as sweet under another name, the word " dandelion " does not bring to mind an image of a rose. So, too, with the names applied to churches. " Protestant Episcopal " connotes " non-catholic " to many people; " Catholic " connotes only " papist " to others. Dr. Shoemaker considers carefully the semantics involved in these and a host of other ecclesiastical titles and pleads for more careful use of terms. The book is not merely an exercise in semantics, however, for he traces the whole problem throughout three centuries of endeavor.

The study is a valuable one if one would understand the Anglican position, if he would converse intelligently about the several churches, if he would understand the issues involved in the whole problem of Christian Reunion.

NELSON RIGHTMYER

Glyndon, Md.

America Is Born. By GERALD W. JOHNSON. New York: William Morrow and Company, 1959. 254, $3.95.

Prompted by the desire to present the story of the founding of this nation in terms which are meaningful to Peter, his grandson, Gerald Johnson has achieved remarkably what many before him have attempted with far less success. Drawing upon his extraordinary fund of knowledge of American history, he has been able to describe and explain with vividness and simplicity familiar theories and ideas which have long defied the ability of textbook writers to present in understandable terms for younger students. Mr. Johnson has had rare success in writing an account which is readily understood by youth and exceedingly interesting reading for both young and old. The phraseology is colorful and humorous in good taste and with good effect, in making clear the interpretation which is sought.

Probably the most significant feature of the work is the fine sense of history which Mr. Johnson brings to his task. He has splendid historical judgment which he imparts in good style and without the usual oversimplification of ideas. Herein lies the unique character of the book.

The account is sharpened here and there with unfamiliar details and incidents not usually found in popular treatises. Familiar pre-Revolutionary happenings are told in a way that makes them seem new and revealing, since Mr. Johnson has departed from the usual presentation of facts by introducing fresh particulars which are recounted with new insight and meaning. But most important of all, Mr. Johnson has succeeded in presenting in simple language the European background and the founding of the Nation and the source of some of the qualities inherent in the character of the American people. This is done deftly as to language and vividly as to thought, so that the author expresses in a brief book with new slants on familiar materials a profoundly important theme.

The illustrations by Leonard Everett Fisher are bold in design and striking in effect. They are effectively arranged as separate pages or inserted on partial pages with the text. The whole book is a great success, and one would hope that Mr. Johnson might be encouraged to go on with the American story and to deal with such ideas as sectional rivalry with the skill which he has brought to the period of exploration and colonization.

HENRY H. CALLARD

Baltimore, Md.

Everyday Life in Colonial Maryland. By GEORGE SCHAUN and VIRGINIA C. SHAUN. Annapolis: Greenbury Publications, 1959. 75.

It is always a pleasure to welcome a book on social and economic history. This present volume is an informally written story obviously for the younger student. As such, the scholar may not completely approve of its publication. It does, however, arouse one's interest in exploring further these well-travelled ways of the colonial period in American history.

The authors have discussed colonial life in sixteen chapters. They do not consider the religious, military, or political events of the period. They have, rather, included chapters on clothing, food and drink, a day in the life of a hypothetical Jimmy Randall, and heating and lighting to mention but a few. There are three appendices which tell the reader what was happening elsewhere while all this was going on, and a list of things which did and did not exist.

The book is printed by the offset process and is bound in spiral-type binding. It obviously is not a history of Maryland for school use. It should be used with reservations by the serious student. It is, however, encouraging to witness two amateurs exploit this sort of topic and to place a work of this nature in print.

FRANK F. WHITE, JR.

Maryland Hall of Records

The Prehistoric People of Accokeek Creek. By ROBERT L. STEPHENSON. Washington: The Accokeek Foundation, 1959. 35. $1.

This slender but most informative volume should be a "must" for all people who are interested in Maryland history. Both the archaeologist and historian will find a clear concise picture of Indian occupation in Maryland from the very earliest Archaic (2000 B. C.) to the Late Woodland Period 1700.

This book, so easy to read, explains why Accokeek was chosen by the Indians who occupied it for a long period of time. The arrangement of maps and of the pictures of different types of pottery, and arrowheads, with a cultural sequence at the end, is well executed. It is hoped by all who are interested in the archaeology and history of Maryland that the Alice Ferguson Foundation will continue with additional research and reports.

FREDERICK MATTHEW STEINER

Baltimore, Md.

The Regimental Colors of the 175th Infantry (*Fifth Maryland*). By HAROLD R. MANAKEE and COLONEL ROGER S. WHITEFORD. Baltimore: Military Department, State of Maryland, 1959. xv, 78. Available for $2.00 plus postage from Headquarters, 175th Infantry, Fifth Regiment Armory, Baltimore 1, Maryland.

This small volume is both the history of the regimental colors of the 175th Infantry Regiment as well as a description of the collection of historic flags now at the Fifth Regiment Armory in Baltimore. This regiment differs from other National Guard organizations in that it has the right to carry an individual regimental color and the Confederate battle flag with the national flag. The authors felt it necessary to describe how this privilege was obtained as it was not generally understood.

Actually the book contains little information that is new. It does, however, make available in one convenient volume all this material which was scattered through many other works. It also supplements Mr. Manakee's article on the origin and first use of the Maryland flag which appeared in this magazine in the December issue of 1958.

The book is well and interestingly written. After reading it, one needs no further explanation as to the high morale which accompanies the regimental customs and traditions. The description of the flag collection is a brief history of the military exploits of the regiment and its contributions in all the wars in which it has participated.

FRANK F. WHITE, JR.

Maryland Hall of Records

Some Quaker Portraits, Certain and Uncertain. By JOHN NICKALLS. (*Journal of the Friends Historical Society*, Supplement No. 29.) London: Friends' Historical Society and Philadelphia: Friends Historical Association, 1958. 19. 75 cents.

This small work examines the subject of Quaker portraiture. The author seeks to separate truth from fancy concerning a number of European and American pictures of four early Friends: George Fox, James Naylor, William Penn and William Sewel. Sixteen reproductions, around which the treatment centers, makes it easier to follow the author's discussion. Nickalls rightly believes that, unless more definite evidence is uncovered, all of these likenesses must be viewed as uncertain. Marylanders will be particularly interested in the various portraits of Penn and of Fox who visited Maryland several times in 1672 and 1673.

KENNETH L. CARROLL

Southern Methodist University

Susquehannock Miscellany. Edited by JOHN WITTHOFT and W. FRED KINSEY, III. Harrisburg: The Pennsylvania Historical and Museum Commission, 1959. viii, 167 pp. $1.50.

Many years have elapsed since Cadrow's " Archaeological Studies of the Susquehannock Indians " was published. Since then much has been learned about these Indians through continued investigation of Susquehannock sites, archaeological developments in other areas and the use of Radio Carbon dating. This report presents a much needed fresh interpretation and re-evaluation of the Susquehannock Indian data to bring our knowledge of these Indians abreast with advances in archaeological information elsewhere.

" Susquehannock Miscellany " is composed of nine papers prepared by both professional and non-professional archeologists, each dealing with a different aspect of the history and archaeology of these Indians. Reports of particular interest are those concerning the Susquehannock Indians historic role, ancestry, pottery vessels and European trade pipes and were prepared by such recognized authorities as Hunter, Wilthaft, Kinsey and Omwake.

These papers show thorough investigation and analyses of the available data, are excellently presented and include over 140 references for the use of readers interested in increasing their knowledge of early colonial history and Indian archeology of the Pennsylvania, Maryland, Delaware and Virginia area.

T. LATIMER FORD

Baltimore, Md.

NOTES AND QUERIES

House and Garden Pilgrimage—The 1960 tour of Maryland houses and gardens begins on April 30 with visits to Southern Maryland, and ends on May 21 with a cruise on the new *Port Welcome* from Baltimore to Chestertown. The Pilgrimage is sponsored by the Federated Garden Clubs of Maryland, the Society for the Preservation of Maryland Antiquities, the National Society of Colonial Dames of Maryland, the Baltimore Museum of Art, and the Maryland Historical Society. Free Tour Books, with maps, giving full information may be obtained from Pilgrimage Headquarters, Room 223 Sheraton-Belvedere Hotel, Baltimore 2, Md.; telephone VE 7-0228 and MU 5-1000, Ex. 223.

Woulds—Who were the parents of James Woulds of Bay Hundred, Talbot Co.? He was Adjutant of Gen. Smallwood's 5th Regt. during the Revolution. He died in Talbot Co. in 1785. His wife was Alice ———, born *circa* 1741, died in Baltimore in 1826. Could her maiden name have been Harrington or Tilghman? Two of their daughters were Ann Woulds and Alice Harington Woulds. Ann married (1) Edmund Channell, Baltimore flour merchant; (2) Capt. Joseph Hook, Sen. of Baltimore Co. Alice Harington married George Wall, Baltimore builder. Further information—for a family genealogy—will be greatly appreciated.

JOHN B. MAHOOL, JR.
308 Woodlawn Road
Baltimore 10, Md.

Cook-Johnson-Brashier—The birth and death dates are wanted for Captain George Cook, a naval officer in the Revolutionary War, born in Calvert County, Maryland; also his marriage date to Elizabeth Johnson, Calvert County, is wanted and the death date of Elizabeth Johnson Cook. Also the birth date of Col. Thomas Cook Brashier is desired. He died in New Market, Maryland, June 17, 1851, and was the son of Dr. Belt Brashier and his wife, Anne Cook Brashier. Bible records are preferred if available.

MISS LUCY SPRIGG DORSEY
729 Euclid Avenue
Orlando, Florida

Archer Letters—Referring to Footnote No. 1 in Mr. Hopkins's compilation of letters from James J. Archer, an officer in the Mexican War (*Maryland Historical Magazine*, December, 1959, p. 408), Mr. Paul says: " I regret not having made it clear that the Archer property at Rock Run adjoins my farm in Harford County, but was never a part of it."

Larmore—Information is desired about the following persons who were married in Somerset County, Md., on the dates indicated: Ebenezer Larmore and Rosa or Rosetta Dunn on January 16, 1810; Mary Larrimore and Richard Dunn in May 1798.

A. M. LARMORE
Kennett Square, Pa.

Jefferson—Information is requested about this family: Richard J., who died in 1743, Worcester Co., had sons, Richard, John F. and Absolom. I would appreciate any information regarding them and a book by Warren Jefferson, *100 Years of the Jefferson and Tindall* (*Tyndall*) *Family*, also Benjamin J. of Calvert Co. who died 1788; married ——— Wood. He had children John, Hambleton, Henry, Basil, William, Leonard and Violetta.

MRS. MAHLON E. ARNETT
816 Chester Ave.,
San Marino, Calif.

Walmsley—Information is requested about the ancestry of Robert Walmsley who died in Maryland in 1770. He was married to Alethea Tylden. Who were her parents? She was of Kent Co., Md. Who were R. W.'s parents and where were they from?

MRS. DAVID C. LOKER,
1401 Napoleon Avenue, Apartment 3,
New Orleans 15, La.

Wherrett—Who was and from whence came to Maryland the Wm. Wherrett mentioned as "possessor," in conjunction with Col. Additon, of 50 acres of Edward's Freehold, St. George's Hundred, St. Mary's County, Maryland, under date of 1640 and again in conjunction with Wm. Watts, " possessors " of 250 acres of Watts Lodge on the back of Bushnell's Rest, Poplar Hill Hundred as of Dec. 18, 1665, all as recorded in the Calvert Papers, No. 885½, pages 15 and 21 respectively.

WM. NORMAN WHERRETT
RD No. 1, Box 39-A
Easton, Maryland

Moody in Baltimore—We are eager to obtain a copy of *Moody in Baltimore*, by Thomas M. Beadenkopf and W. Raymond Stricklen, Johns Hopkins students, issued in 1879 by the Sun Printing Office. This small but interesting volume gives a valuable account of D. L. Moody's great 1878-79 campaign there. Perhaps one of your readers may have a copy to sell, or donate, for our collection of historical material relating to the great 19th century evangelist and founder of our school. We also want letters, photographs, or clippings relating to his work, but do *not* need most of the other biographies and books of sermons available today.

BERNARD R. DEREMER
Moody Bible Institute
820 N. La Salle St.
Chicago 10, Ill.

Fulham Papers Project—Of major interest to historians of Colonial America will be a project sponsored by the General Theological Seminary in New York City. Plans for the classifying and cataloguing of the Fulham Papers, now housed in Lambeth Palace Library, London, have been completed, according to an announcement by the Very Rev. Lawrence Rose, dean of the seminary. A well known American church historian, Dr. William W. Manross, has been appointed a research fellow of the seminary to undertake the work. Preserved until recent times at Fulham Palace, residence of the Bishops of London, the Fulham papers contain letters sent by colonial clergymen to their bishop in England. Since the Bishop of London had authority over all Church of England ministers located in the new world, the collection includes files of correspondence from every colony extending back for more than a century before the American Revolution.

The General Theological Seminary
Chelsea Square, New York 11, New York
CHelsea 3-1607 (Herbert D. Thomas)

Maryland Genealogical Society—The Maryland Genealogical Society, organized in 1959, extends a cordial invitation to interested persons to attend meetings of that Society, which are held the second Wednesday of every month at the Main Branch of the Pratt Library at 7:30 P. M.

J. HARRISON DANIELS, Pres.
213 S. Rolling Road
Baltimore 28, Md.

CONTRIBUTORS

Lorraine W. Pearce is a student of American decorative arts. She has recently published an article on Lannuier in *Antiques*. Mrs. Pearce is a graduate of the Winterthur program of the University of Delaware.

Jane N. Garrett is a member of the staff of the Boston Athenaeum and Book Review Editor of the *New England Quarterly*. Mrs. Garrett is also a graduate of the University of Delaware, Winterthur program.

Peter Walne is County Archivist of Berkshire, Reading, England, and is a specialist in the study of seals. He has contributed several articles on colonial seals to American journals. Mr. Walne is also a Fellow of the Royal Historical Society.

Kenneth L. Carroll is associate professor of the faculty of Southern Methodist University.

Since our printers, the J. H. Furst Co., have been engaged in moving their plant to 109 Market Place, Baltimore, we trust that any delay in the appearance of this issue of the Magazine will be excused.

MARYLAND HISTORICAL MAGAZINE

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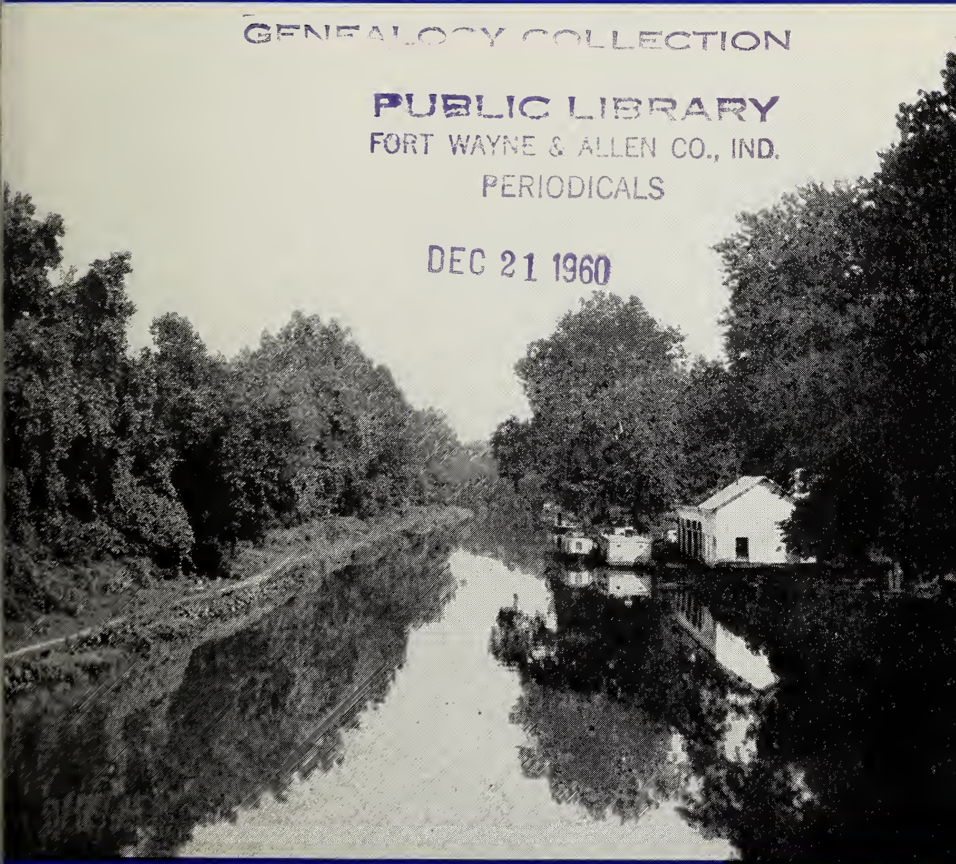

The C. & O. Canal Below Chain Bridge.

ourtesy of the Maryland State Department of Forestry and the Enoch Pratt Free Library)

MARYLAND HISTORICAL SOCIETY
BALTIMORE

June · 1960

First National belongs in your family picture

Now is the time to provide for "that someday"—when those near and dear to you will need the protection and security that you alone can make possible. We will be pleased to discuss with you and your attorney the many advantages of creating a First National Trust Fund either during your lifetime or by your will. In taking this most important step, you will be safeguarding your family's future—and contributing to your own peace of mind as well.

FIRST NATIONAL
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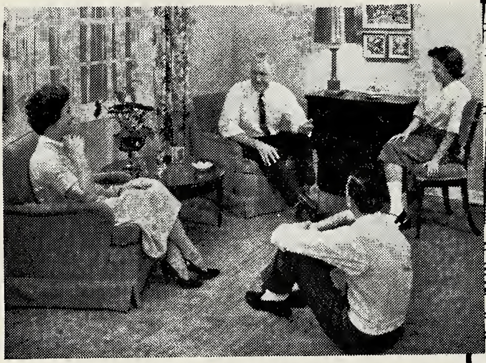

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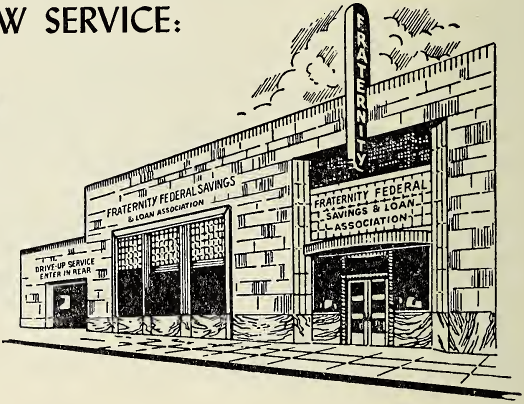
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Volume 55 JUNE, 1960 Number 2

A FACET OF SOVEREIGNTY:

THE PROPRIETARY GOVERNOR AND THE MARYLAND CHARTER

By James High

"THE most interesting and the least known period of Maryland's history is that which preceded the War of Independence. The political and material development of a Province founded under peculiar circumstances and a unique form of government, were determined by causes in many respects unlike those which operated in the other colonies. . . ." [1] Maryland's charter, granted to Cecilius Calvert, second Baron of Baltimore, June 20, 1632, was certainly unlike any other one; and the tenure in America of the Lords Baltimore under its terms was longer than any other proprietary group. The Calvert family remained " the true and absolute Lords and Proprietaries of the Region aforesaid" until 1776.[2]

---

[1] William Hand Browne, *Maryland: The History of a Palatinate* (Boston, 1884), v (preface).

This tenure was, however, at the expense of ever decreasing power; and its corollary, increasing colonial sovereignty. The grip of the proprietors had been temporarily loosened during the English Civil War, when parliamentary power in England supplanted that of the crown. The charter was again suspended after the Glorious Revolution when the Orange King William represented British constitutionality. Each time that the descendants of George Calvert regained their colony some of the " absolutism " had been shorn away, until by the middle of the eighteenth century when the sixth and last Lord Baltimore inherited the Calvert patrimony, only the name of " absolute Lord " remained, along with one essential element—a princely income.

Although by 1765, this last Baltimore actually retained very little authority beyond the ability to collect his quit-rents and distribute patronage, he never did fully admit his changed status. He continued to press his " rights by Charter grant'd " until his death just before the Revolution.

At the very moment when both proprietor and king (by no means in complete accord) were being challenged in Maryland by the colonists's refusal to pay the stamp duties, Reverend Thomas Bacon published the collected *Laws of Maryland.* The essence of this book was to make available the constitutional body of legal thought that had been produced by the colonial Assembly; a most palpable step toward provincial sovereignty which could be fully obtained only at the cost of the proprietor and the crown. The editor was a member of the group of middle-class men in Maryland who were much concerned with the Lockean principles of " life, liberty and property." Protection of property was the philosophic core of their political thinking; by nature and its laws the land and product of the New World were theirs. Bacon, himself a conservative man, was neither willing, nor foolish enough, to fly in the face of tradition; he wanted no anarchic levelling.[3] He was only stating fact in the preface to his *Laws* when he recounted that there had been ". . . several Revolutions of Government in this Province," that law and order were supreme, and that Baltimore's rights were intact. How else could he get the proprietor to subscribe £100 sterling toward its publication? Bacon, thinking on an entirely different level from that of his feudal overlord, could write in perfect honesty that the " Proprietaries having never forfeited those private Rights by any Act of Disloyalty, or illegal Resistance to the established Power," need have no fear of democratic pretensions on the part of the Assembly.[4]

---

[2] *Laws of Maryland at Large,* compiled by Thomas Bacon (Annapolis, 1765), d (preface), hereafter cited as Bacon, *Laws.*

[3] See Thomas Bacon, *Sermons Addressed to Masters and Servants . . .* (Winchester, Virginia, 1813), first published in 1743; *Two Sermons Preached to a Congregation of Black Slaves . . . in the Province of Maryland* (London, 1749, 1784). Both of these books carry the message of masters, property owners to their servants: stay in your place—get your reward in heaven.

Only a few years later there was no question of the proprietor's having given up any " rights " of political control. He simply never had any. Magna Carta was paramount to the Maryland Charter in that respect; and so far as " private Rights " were concerned, they were precisely those of any man: the natural right to life, liberty and property. Finally, in 1783, the heir to the proprietorship was granted £10,000 by the Maryland legislature in payment for his claims to land only. The British government gave him £90,000 for his claim to the proprietorship, even though England had lost the American colonies, and the person in question, Henry Harford, had moved to Maryland and had become an American citizen.[5]

A cleavage in thinking so complete represented the extreme on both sides of the question of colonial sovereignty that had seethed in Maryland, as well as in the other colonies, for over a hundred years; yet respect for, and interest in, property appears on either side at the very bottom of the struggle for control of the political structure of Maryland. By 1765, such a man as Bacon was only beginning to think in terms of both liberty and property; he was still willing to respect the colonial income of Lord Baltimore, but he and his friends were beginning to question the public rights of an absentee political proprietor. The frontispiece of his edition of the *Laws* was a copy of the Maryland Charter of 1632.[6] The emphasis here was on Magna Carta and the *private* rights of the proprietor. Proprietary property was still sacred—so long as it was property. " Jonas Green, Printer to the Province," published the work, and the chief subscribers were Governor Horatio Sharpe and certain members of his Council—John Ridout, Daniel Dulany, Benjamin Tasker.

---

[4] Bacon, *Laws*, preface, followed by a list of the subscribers with Baltimore in first place, succeeded by the names of Horatio Sharpe and the Council.

[5] Browne, *op. cit.*, p. 285.

[6] Bacon, *Laws*, preface.

Twenty-two years later, " Frederick Green, Printer to the State," son of Jonas, published another set of the *Laws of Maryland.* His volume contained no list of subscribers, no patron; the sovereign state of Maryland authorized and paid for the project. The sense of property was just as evident as it had been before, but now the frontispiece was a quotation from Montesquieu's *Spirit of Laws*: " The natural Place of Virtue is near to Liberty; but it is not nearer to excessive Liberty than it is to Slavery." [7]

A revolution had intervened during the years since the Stamp Act. The Sons of Liberty had not forsaken the standard of life, liberty and property; these must all be protected, not from proprietor and king, but from the " mob." The old supporters of prerogative had been sifted from the ranks of the " country party "; Dulany, Tasker and Galloway were gone. In their stead were John Ridout, Major Jenifer, Upton Scott, now loyal Americans, the conservatives of Maryland.[8] They had gone along with the Revolution, but they had maintained their property and their stake in the government of the new state. They were all men who had been elevated to office by Governor Sharpe; and they all believed in liberty with law and order. Sovereignty was now in the hands of those local property owners where it had been thought to belong for a long time—ever since this group of landed middle-class merchant-planters had begun to rise from the obscurity of penury at the start of the eighteenth century. This is clearly a beginning, not only of the quest for American sovereignty, but also of middle-class American thinking; making it appear that perhaps the two things were interchangeable from the outset.

The charter of 1632 granted the proprietor the right of holding a principality in the wilderness; he was a feudal lord owing allegiance only to his monarch. His colonists, in turn, held " of him their land in meane," as of a feudal prince of the middle ages. The lord's " services of arms " were discharged at Windsor Castle every year by the presentation of " two Indian Arrows of those Parts." The inhabitants of Maryland, for their part, were required to pay homage to their proprietor " in free socage," that is, their services were discharged by an annual money payment called quitrent. Baltimore might have feudal concepts of land tenure and political rights, but he and his descendants knew the value of a pound sterling!

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[7] *Laws of Maryland . . . Passed since 1763* (Annapolis, 1783), frontispiece.

[8] See notes 12 and 28.

Proprietary rights included power to make and adjudge laws, "Remit, Release, Pardon, and Abolish, all Crimes and Offences whatsoever against such Laws, whether before, or after Judgment passed."[9] In short, his power was as absolute as it could be made by charter. The only restraining clause in the whole document was the final admonition to administer Maryland "(so far as conveniently may be) agreeable to the Laws, Statutes, Customs and Rights of this Our Kingdom of England."[10] Here was the point upon which the whole structure of constitutional opposition to the proprietor was built. Baltimore, in the middle of the eighteenth century, was still insisting on the Stuart interpretation of the constitution, but in reality John Locke's teaching was taking on a new slant; the alliance between property and government in the New World was becoming all too apparent. Magna Carta combined with a doctrine of "natural laws" made a formula that could be summoned up by the Maryland Assembly through the very medium of the proprietor's instrument of right—the Maryland Charter—and verbalized as the rights of Englishmen under the British Constitution.

By the original terms the proprietor had the right of "any Captain-General of an army" to declare and wage war, even to the extent of invading a "foreign country," or executing prisoners at discretion. He could found towns and cities, designate ports, set up boroughs, counties and parishes. All maritime rights—prize courts, control of navigation, curing fish and reserving timber were granted by charter. This charter suspended the statute of *quia emptores terrarum*, and granted the right to establish "Courts-leet," and to "hold View of Frank-Pledge . . . for the Conservation of Peace and better Government."[11] It was a remarkable document, hedged around with safeguards for the proprietor's interest, anticipating every contingency—except one: the behavior of people in the New World.

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[9] Bacon, *Laws*, e.

[10] *Ibid.*

[11] Browne, *op. cit.*, pp. 177-178, has some curious cases of courts-baron and courts-leet. "Views of frank pledge" were held on some manors up into the ninteenth century.

From 1634 to 1649, Maryland had as governor a member of the Calvert family, either the proprietor or his deputy; and he was assisted by a Council of State, usually composed of close friends or relatives. The Puritan Revolution was felt in the colony, and the Council turned into the Assembly, based on a franchise of sorts. The charter was suspended for a time, and the province was left to develop its own version of " parliamentary rule " with or without commissioners. When the third Lord Baltimore was reinstated after 1660, the Assembly remained although it was of little significance during the Restoration. The fourth Lord Baltimore lost his colony again during the reign of William and Mary, and Sir Lionel Copley was appointed first royal governor in 1692. He ruled with the aid of a royally appointed Council and the locally elected Assembly. The pattern of Governor, Council and Assembly was now set for the remainder of the colonial period.

In order to regain his province, the current Lord Baltimore renounced the faith of his fathers and became a Protestant in order to be able to accept the Act of Supremacy and the Test Act; accordingly he received back his old charter intact in 1715. He was soon succeeded by Charles, fifth Baron of Baltimore, a man of small talent and little ambition who delegated the governorship of Maryland to his brother, Benedict Leonard, and showed little interest in the New World. After Benedict Leonard's time (1727-1731) no further proprietary interference of consequence took place in Maryland until after the sixth Lord Baltimore came into power at the time of the French and Indian War.

In the meanwhile a new era had dawned in the field of constitutional development. The Stuarts were gone forever, and the new ruling house of Hanover was well fenced about with Parliamentary restrictions. The British Constitution was being wielded by Parliament and its English middle-class constituents. Sir Robert Walpole was in the ascendancy, with the landed Whigs in league with the town merchants.

In Maryland a counterpart of constitutional reform took place. A " country party " began to emerge, built first on resistance to the radical dissenters of Cromwell, then as opponents of the stringent royal control under Queen Anne. At the turn of the eighteenth century the strength of this group was beginning to be felt in the Assembly. These men were acquiring property and gaining wealth; they were the rising class of merchant-planters who were to dominate Maryland for over half a century. It was they who held Maryland to a moderate course in the Revolution, who helped ratify the Constitution in 1787.[12]

By 1731, although the charter remained unchanged, its interpretation was modified, despite the original intention of Charles I, beyond possibility of its return to the feudal pattern of 1632.

The proprietary deputy governor who contributed most to solidifying these changes was Samuel Ogle, almost continuously in office from 1731 until his death in 1751. Charles, fifth Baron of Baltimore, died the same year. Ogle, an English army officer, came to Maryland to serve the proprietor and to enforce the terms of his charter; but he soon became involved deeply in the affairs of the New World—by way of marriage, economic interest and politics. He married a daughter of Benjamin Tasker, prominent member of the local legislature, and later, President of the Council. Besides the name of Tasker, Ogle's memory is associated with those of Dulany, Jenings, Tilghman, Lloyd, Henry—middle-class wealth. As these men increased in numbers and wealth they gained strength against the proprietor; each step up in material consequence was accompanied by a further accretion of political importance. Ogle, as one of them, sacrificed the proprietor's privileges and allowed popular precedents to be set which later on proved impossible to overturn. At last, in 1751, when Frederick, sixth Baron of Baltimore, became proprietor, the Assembly was made up of these men, and it was supreme in political fact, if not in name.

The first right stripped from the charter privileges was that of founding towns and counties. In 1650, only sixteen years after the first settlement, the legislature set up Anne Arundel County, adding others as it saw fit. In the first half of the eighteenth century the Assembly founded villages by the score, aided and abetted by the governor and the Council, in the hope of profitable land speculation.[13] One right followed another, until only the name of proprietorship remained—and the income. Those disappeared in 1776.

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[12] See Merrill Jensen, *The Articles of Confederation* (1940, 1948), pp. 223-224, 236-237, for the activities of such a man as Major Daniel St. Thomas Jenifer at the time of the American Revolution.

[13] Aubrey C. Land, "The Genesis of a Colonial Fortune: Daniel Dulany of Maryland," *William and Mary Quarterly*, 3 of ser., VII (April, 1950), 256-269.

The situation faced by the new proprietor and his governor, Horatio Sharpe, in 1753, was complicated by an Assembly, overweening from thirty years of appeasement on the part of the proprietor, and fat from the product of their control. They were " recalcitrant " to the new lord who was intent upon enforcing his " ancient rights and prerogative." The Council was apathetic and complacent as an honorary adjunct to the Assembly. In the case of Sharpe, the Board of Trade, for the first time, exacted a stringent oath from a governor of Maryland, which was accompanied by a large bond, executed similarly by Baltimore and Sharpe.[14] The crown no longer thought of Lord Baltimore as the absolute arbiter of a distant corner of the empire; certainly the people of Maryland did not.

To complicate the problem even more, Great Britain was faced by the possibility of a death struggle with France in the New World that would certainly require all the cooperation among the colonies and mother country that could be mustered. The Maryland Assembly took the exigencies of the war as opportunity to further its constitutional gains. At every attempt of the crown to exact support for the war, the Assembly advanced its grievances to be settled first. One historian has called it the " champion of popular control. Stubbornly and persistently it fought . . . to free Maryland from proprietary rule and external control." [15]

Sharpe came to Maryland in 1753 firm in his loyalty to the proprietor and bent on upholding the prerogative. He was unaware of the local ramifications of politics that had altered the feudal relationship of old between lord and colonists. His instructions were clear that the charter rights of the Barons of Baltimore must be maintained; it was only intimated that a local faction of malcontents might try to divert the Assembly from its duty.

What he actually found was an administrative arrangement that had grown up through the years and had the sanction of custom and time. As he reported to the Board of Trade, " The Legislature consists of three branches, . . . the Governor; an upper

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[14] King in Council at St. James, March 11, 1752, Miscellaneous Letters, American-British (Library of Congress Transcripts).

[15] Paul Henry Giddens, " Governor Horatio Sharpe and his Maryland Government," *Maryland Historical Magazine*, XXXII (June, 1937), 174. See also St. George L. Sioussat, *Economics and Politics in Maryland, 1720-1750,* Johns Hopkins University *Studies in Historical and Political Science*, XXI (Baltimore, 1903), for the institutional foundations of the Assembly's later supremacy.

House of Assembly (of which there are twelve Members nominated by the Lord Proprietary, who commonly continue for Life); and a Lower House composed of 58 Members, chosen by the People to represent them; four for each county, and two for the City of Annapolis." [16]

This arrangement had developed through usage, since the charter did not provide for any legislature. At first, probably, all the colonists sat in council with the governor who was also the proprietor; but soon, only four years after their initial landing, in 1638, writs were sent out by his lordship for the election of representatives in "Place of all the Freemen." [17] The number of Assemblymen from each county, and the manner of their election was never set down in law or charter; only the precedent of former years, modified by expediency, and by the proprietor's fiat, established the tradition of a popular Assembly, elected every three years on the basis of a freehold franchise among Protestants only. For example, in 1670, through a piece of executive legislation reminiscent of a Tudor statute, the franchise was restricted to those males owning fifty acres in freehold or the equivalent of property valued at £40 sterling.[18] It was necessary at another time to invoke the old custom of assessing a fine on all qualified voters who failed to cast their ballots. One hundred pounds of tobacco was forfeit on such occasion. Since the "Inhabitants shall have all their Rights and Liberties according to the Great Charter of England," it was argued reasonably that they must exercise these rights in order to keep them. This lay at the very basis of the long struggle between the proprietors and the colonial Assemblies.[19]

Despite the fact of the Assembly and its long history of growth, Sharpe described the administrative machinery in the middle of the eighteenth century as it appeared to the proprietary interest. He explained that the " Establishments, as well Civil as Military, within this Government depend on the Powers granted by the Royal Charter to the Lord Baltimore, under whom all the Officers (except the Collectors and Surveyors of His Majesty's Customs) hold their Places. . . ." The factor to balance the appointment of these officers, which was the proprietor's prerogative, was the Assembly's insistence upon paying their salaries. As in the case of the House of Commons in England, the Maryland Assembly had long since established the precedent of holding the purse power, a distinguishing feature of popular control.[20]

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[16] "Copy of the Answers of Horatio Sharpe Esq^{r} Lt Gov. of Maryland to the Queries proposed by the Lords of Trade," in Sharpe to Board of Trade, January 14, 1762, King's Manuscripts, British Museum (Library of Congress Transcripts).

[17] Bacon, *Laws*, 7 Caec., Ld. Balt., ch. III. The deliberative body here considered was not properly an Assembly, but was more in the nature of the later Council, a proprietary body. Some confusion persisted on this point in the minds of the English ministers down to the middle of the eighteenth century. The Secretary of State ordered Sharpe to call the Assembly and raise funds before the outbreak of the French and Indian War, and he wrote, "to assemble the Council," which was later altered by a strikeover to read "General Assembly" (Holdernesse to Sharpe, August 28, 1753, Public Record Office, C O 5/211:15, Library of Congress Transcripts).

[18] Newton D. Mereness, *Maryland as a Proprietary Province* (New York, 1901), p. 199.

[19] Bacon, *Laws*, 7 Caec., Ld. Balt., ch. II. f. 27.

The principal officers and their salaries in this organization were: the lieutenant governor " including all Perquisites and Fees as Chancellor, £1,200 ";[21] a deputy secretary (the secretary resided in England) who kept the chancery and supreme court records, at a salary of £300; a commissary general at £250, ". . . to whom the Probat of Wills belongs ";[22] an attorney general at £50; two treasurers, £80 each; two judges of the land office " whence warrants and Patents for land issue," their importance being certified by the salaries of £300 each; three commissioners of the paper currency office paid £50 apiece; five " Naval Officers from £50 to £150 each ";[23] two surveyors-general at £130 each; an " Examiner General (whose business it is to examine all Certificates returned by the Land Surveyors) ";[24] and a clerk and sheriff in each of the fourteen counties at salaries of £80 to £200 each, ". . . but the Sheriff's office cannot be held by any person more than three years."[25] In each county there was also a deputy surveyor and deputy commissary to take care of the actual survey and recording of land. Sharpe commented that "several of the Deputy Surveyors' Offices are of very little value, some of them not £10 a year; but three or four of them, who live in Counties, where there still remains a good deal of vacant Land, may get from £50 to £150 pr Annum." [26] The deputy commissaries earned from £10 to £20. Just before the Revolution this office became so important, and its officials so numerous that a book was published setting forth their duties, and the intricacies of the local courts in which their transactions were carried out.[27]

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[20] Sharpe to Board of Trade, January 14, 1762, King's Manuscripts, British Museum (Library of Congress Transcripts). During the eighteenth century the Duke of Newcastle, with his large patronage in the House of Commons, also had control of the appointments in the American Customs Service. When Sharpe wanted to get one of the offices for his friend John Ridout, he had to apply through his brother William to the Duke. He was unsuccessful.

[21] *Ibid.* Figures for the governor's salary vary from £1,000 to £2,000. The higher figure seems more likely.

[22] *Ibid.* This office of civilian commissary is not to be confused with the military office which was concerned with supply, nor with the episcopal office which represented the bishop in all matters save ordination. See Howard Kimball, " The Commissary of the Bishop of London in America," doctoral dissertation, University of California, Los Angeles, 1957.

[23] These were provincial customs officers, mainly interested in collecting the proprietary dues on exported tobacco. In most cases the work was actually done by low paid proxies.

[24] The office of " Examiner General " was purely a perquisite of the governor.

[25] Sharpe to Board of Trade, January 14, 1762, King's Manuscripts, British Museum (Library of Congress Transcripts).

At Annapolis there were also patronage clerkships in each of the important offices: Council, Assembly, provincial court, commissary, paper currency, and land office. Each of these positions carried a salary of from £50 to £300 a year. Usually the holder farmed out the actual work for a fraction of that sum, retaining the rest as the right of "perquisite." For example, Upton Scott, Sharpe's physician, was supported for years by the office of clerk of the Council.[28]

Sharpe concluded his recital of the administrative offices with the comment that "as the Value of these Offices (except the Naval Offices) depends on the price of Tobacco, they are some Years much more lucrative than in others; but Communibus Annis, they may be rated" as shown above.[29]

Unlike the judiciary of Massachusetts, where the courts had been traditionally the responsibility of the electorate from the beginning, in Maryland the courts were firmly established in the interest of the proprietor. The judges were appointed by him, and their incomes were not dependent on the Assembly's action. In Massachusetts, it will be remembered, the attempt to make the courts more subservient to the crown after 1765, resulted in near revolt; the ancient privilege of paying the judges could not be taken from the General Court. In Maryland no such initial situ-

[26] *Ibid.*

[27] Elie Vallette, *Deputy Commissary's Guide within the Province of Maryland* . . . (Annapolis, 1774). Among the useful bits of information to be found in this book are tables to "reduce sterling to currency [p. 41]," a very important procedure in colonial commerce and law.

[28] Dr. Scott came over with Sharpe in 1753, and by 1763 he had married the daughter of Council Clerk, John Ross, and succeeded him in that office. See *Arch. Md.*, edited by William Hand Browne and others (Baltimore, 1884), XXXI, 535; XXXII (1912).

[29] Sharpe to Board of Trade, January 14, 1762, King's Manuscripts, British Museum (Library of Congress transcripts).

ation existed, but with the Stamp Act and cessation of legal business, the courts, although proprietary appointees, were just as outspoken in their criticism of royal control. One might conclude that American independence sprang more from dislike of a whole system than from hatred of certain infringements of " liberty," as might have appeared to be the case at the time.

Governor Sharpe's description of the Maryland judicial system is both concise and clear:

> The Courts are the high Court of Appeals and Errors, consisting of the Governor and Council; the Court of Chancery; the Court of Vice Admiralty (which scarcely ever sits) ; the supreme Court of Law, called the Provincial Court, which is held twice every year at Annapolis, the judges thereof being seven in number, are impowered by Commission under the Great Seal to hear and determine concerning Pleas, whether real, personal or mixed, and all manner of Crimes Capital or not Capital; In civil Actions where the Matter in Dispute exceeds the value of £50 Sterling, Appeals are allowed to the Governor and Council. There are four County Courts, or inferior Courts of Common Pleas held every Year in each County by the Justices of the Peace; no original Action, exceeding the Value of one hundred Pounds sterling, can be brought in these Courts; but must be commenced in the Provincial Court, as must all real and mixed Actions; the Justices at these Courts can try and determine all criminal Matters not affecting Life, or Member, & even Capital Offences when committed by Negroes. Both the provincial, or Supreme, & the County Courts have been held almost ever since the Province was settled by virtue of Acts of Assembly; [29] The Rules of proceeding in these Courts are conformable to the Rules observed in the Courts of Westminster; the Judges and Justices are appointed by Commission from the Lord Proprietary under the Great Seal.[30]

Any revenues necessary to the support of government other than that arising from the fees of administrative and judicial officers, had to come from legislative action. For the support of the naval officers, who were appointed and paid by the proprietor, there was by an act of 1661, a " a Port-Duty of fourteen pence per Ton on all Ships and Vessels trading into this Province, and not owned by Residents." [31] The amount was increased by three pence per ton in 1694, to give the lientenant governor an added perquisite.[32]

After 1704, education received provincial subsidy in the form of a " perpetual law " assessing twelve pence per hogshead on tobacco exported. The same year "another perpetual Law was made for laying a Duty of twelve pence current Money on every 100$^{\text{lbs.}}$ of dried Beef and Bacon, and twelve pence on every Barrel of Pork and Beef undried, exported by any persons not Inhabitants; the Money raised by virtue of this Act is applied to the maintaining a Free School." [33]

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[30] *Ibid.*

[31] Bacon, *Laws*, 1661.

[32] Bacon, *Laws*, 1694.

In 1715, 1717 and 1723, impositions of various kinds were added, including increasing duties on "every Negro and Irish Papist imported into this Province." [34]

To meet the needs of the expanding commercial society and its consequent higher costs of administration, in 1732, the Assembly passed an act "whereby a Duty of fifteen pence sterling was laid on every Hhd [hogshead] of Tobacco, which should be exported during the Space of Thirty one Years next ensuing the 29th day of September in the Year aforesaid, for supporting the Credit of, and sinking £90,000, emitted, and then made current by Bills of Credit." [35]

This proved to be the precedent for raising money during the French and Indian War. The one law that met the approval of both houses and the proprietor was passed in 1756, appropriating "the Sum of £40,000 Currency." The Assembly, taking advantage of the leverage furnished by Braddock's misfortune on the frontier, included an item of the proprietors prerogative in the taxable list in this measure; the tavern license fees and liquor taxes were diverted to the use of the colony, and Baltimore was forced by British public opinion to acquiesce.[36] Baltimore's right to collect the "Hawkers and Pedlars Licence Fines" was known from the seventeenth century, but the act of Assembly in question gave it the ambiguous and innocent-sounding title of a "Duty . . . on all spirituous Liquors consumed in the Province," and included it in a long list of taxes on "Batchelors, on Billiard Tables, and on all Horses imported, a Land Tax, a Stamp-Duty; also an additional

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[33] Bacon, *Laws*, 1704.

[34] Sharpe to the Board of Trade, January 14, 1762, King's Manuscripts, British Museum (Library of Congress Transcripts). Taxes on transported convicts were prohibited by the British government, but both Virginia and Maryland passed several duty acts on the importation of Negroes. See, for examples, *The Statutes at Large; being a Collection of all the Laws of Virginia*, compiled by William Waller Hening (New York, 1823), VII, 363, 339-642.

[35] Sharpe to Board of Trade, January 14, 1762, King's Manuscripts, British Museum (Library of Congress Transcripts).

[36] Instructions to Sharpe, 1755, Calvert Papers (Maryland Historical Society, Baltimore).

Duty on Negroes, Pitch, Tar, and Turpentine imported." The list was ended with the provision that all the accounts were to be audited by a committee of the Assembly.[37] This law was the springboard from which was launched a campaign by the Assembly against the ancient rights of the proprietor, and which during the French and Indian War constituted the basis of a relentless struggle between the representatives of Maryland property and the lieutenant governor of the Baron of Baltimore, Horatio Sharpe. Sharpe finally succumbed to the pressure of reality and deserted his lordship, being supplanted by a governor who was knighted for his royal service at the time of the Revolution, Sir Robert Eden. But Eden, in his turn, returned to America after the war and ended his days in the sovereign state of Maryland. To this day a member of the Eden family is an honorary member of the Maryland Historical Society, the present one being Sir Anthony Eden.

During the eight-year political battle that followed Sharpe's assumption of office in Maryland, the Assembly, whose members received one hundred forty pounds of tobacco a day while they were in session, spent as much money on their own salaries as they did in support of the British war effort against the French. They were intent on establishing a colonial sovereignty based on middle-class control which had been developing since the beginning of the century, and a war, even with their age-old enemy the French, was not going to deter them.[38]

Since the governor had the right to assemble, dissolve and prorogue the Assembly, as well as to disallow its acts, Sharpe at first was inclined to take a high hand with the legislature; he thought that they did not execute their duty as loyal subjects; and because the Council was dilatory in supporting his stand, condemned them out of hand, replacing them whenever he could with " better men." [39] He was to learn, however, that the colonial spirit was stronger than his own, and still more, that he himself would embrace that colonial spirit rather wholeheartedly before his retirement. By the time of the Stamp Act, 1765, he was almost one of the " Assembly party " that at first he had all but hated. This was a far cry from his position in 1754, when he had been the first man to suggest a Parliamentary stamp tax for all the colonies.[40] After Braddock's defeat when he had bitterly asked for British legislative action to force the flagging provincials to combine against France, he learned that the words of the legislators upon his arrival had contained a core of iron-like hardness beneath their polite expression. The upper house at that time had voiced the sentiment that was to become monotonous through reiteration in the next few years:

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[37] *Archives of Maryland*, XXIV, 85.

[38] Samuel Ogle to Board of Trade, October 16, 1734, Public Record Office, C O 5/1268:145-146; *Maryland Gazette*, edited by William Parks, 1728-1734, *passim*.

[39] Giddens, *op. cit.*

> . . . We promise Ourselves that nothing in the power of a Gentleman of your Character will be wanting, to make this Country flourish under your Administration: And altho' Men will often differ about the Means of attaining the End all must wish for, yet we hope, when that End is well understood, and steadily kept in view, that, upon a candid and frank Communication of their Sentiments to each other, and a sincere Desire of being truly informed, it will reconcile all Differences about the Means.[41]

Faced on one side by this politely veiled threat from the Marylanders, on another by the peremptory orders of Sir Thomas Robinson and the ministry, and on yet another by Baltimore's insistence on ". . . Quick dispatch of his Rentals,"[42] Sharpe regretted having given up the relative ease of a soldier's life in an English regiment.[43] It is to his credit that in spite of all the obstacles he successfully steered Maryland through the French and Indian War, and dealt with the Assembly for sixteen years with comparatively little friction. He mastered the intricate political organization of the colony, and, more important, he understood how it synchronized with the whole problem of sovereignty in America.

It took a century and a half before the "End" was "well understood," and it finally took a revolution to emphasize that the end was to be a free economy with a free political structure. Sovereignty in each colony based on the popular conception of the greatest good for the greatest number emerged after a long struggle with the old forces of Europe, and at length resolved into an American sovereignty which has, in accordance with the unwitting prediction of the Maryland Council in 1753, reconciled "all Differences about the Means."

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[40] *Arch.*, VI, 17.
[41] *Maryland Gazette*, October 11, 1753.
[42] *Arch. Md.*, VI, 17.
[43] *Ibid.*, IX, 440.

LIFE ON THE C. & O. CANAL: 1859

Edited by Ella E. Clark

A CENTURY ago, in the summer of 1859, a man from New England whose name is now unknown made the round-trip voyage along the Chesapeake and Ohio Canal from Cumberland, Maryland, to Georgetown, D. C.—and farther. At that time, the canal barge went from Georgetown across the Potomac by aqueduct and down a canal to Alexandria, Virginia, from where the writer traveled by ferry to Washington, D. C. Out of work because of the Panic of 1857, he had found employment on a canal boat. About thirty years later, he wrote his memories of the voyage. At some unknown date the anonymous manuscript reached the City Library Association of Springfield, Massachusetts; in 1923 it was given to the Manuscript Division of the Library of Congress.[1]

When this unknown boatman made the journey, the section of the canal near Cumberland, at the eastern base of the Allegheny Mountains, had been completed only nine years. The first section of the canal, that near Georgetown and the tidewater of the Potomac River, had been begun in 1828, President John Quincy Adams having lifted the first shovelful of earth for it on the Fourth of July of that year. At Baltimore, on the same day, a corner stone was laid to mark the beginning of the Baltimore and Ohio Railroad.[2]

But the origin of the canal really lies back in the eighteenth century, in the belief which George Washington earnestly held for many years, that through the Potomac River, Maryland and Virginia could secure the trade of the newly settled areas west of the Allegheny Mountains.[3] As early as 1754, when Washington was only twenty-two years old, he envisioned " a system of river and canal navigation along the Potomoc River." [4]

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[1] The writer apparently gave the manuscript no title. In the Library of Congress it is entitled " Journal of a Canal Boat Voyaging on the Cumberland Canal between Cumberland, Maryland, and Georgetown, 1858." But according to the author's first paragraph, he made the voyage in 1859.

[2] Archer B. Hulbert, *Great American Canals*, 3 vols. (Clevland, 1904), I, 103-110.

[3] *Ibid.*, 33-34.

By the time of the defeat of General Braddock in 1755, " the trade route by way of the Potomac had become a question of sufficient importance to influence the decision of national and military affairs." [5]

Before the end of the Revolutionary War, Washington made a long and hazardous exploratory journey up the Mohawk Valley and concluded because it could avoid mountains, that route would be the competitor of the Potomac River system of his dreams.

After his return from this journey, he wrote Chevalier de Chastellux, on October 12, 1783, as follows:

> Prompted by these actual observations, I could not help taking a more extensive view of the vast inland navigation of these United States and could not but be struck with the immense extent and importance of it, and with the goodness of that Providence, which has dealt its favors to us with so profuse a hand. Would to God we may have wisdom enough to improve them. I shall not rest contented, till I have explored the western country, and traversed those lines, or great part of them, which have given bounds to a new empire.

A year later, Washington had carried out his plan to explore the western country.[6] In October, 1784, after his return to Mount Vernon, he wrote to Governor Benjamin Harrison of Virginia:

> The more then the Navigation of Potomack is investigated, and duely considered, the greater the advantages arising from them appear.[7]
>
> . . . And all of these tributaries of the Ohio River are so many channels through which not only the produce of the New States, contemplated by Congress, but the trade of all the lakes, quite to that of the Wood, may be conducted according to my information, and judgment—at least by one of the Routs—thro' a shorter, easier, and less expensive communication than either of those which are now, or have been used with Canada, New Yk., or New Orleans.[8]
>
> . . . but let us open a good communication with the Settlements west of us—extend the inland Navigation as far as it can be done with convenience—and shew them by this means, how easy it is to bring the produce

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[4] *Chesapeake and Ohio Canal,* National Park Service Pamphlet (Washington, 1955).

[5] George Washington Ward, " The Early Development of the Chesapeake and Ohio Project," *Johns Hopkins University Studies in History and Political Science,* Series XVII, Nos. 8-10-11 (Baltimore, 1899), p. 11.

[6] Hulbert, *op. cit.,* I, 34-35.

[7] *Ibid.,* 36.

[8] *Ibid.,* 39.

> of their Lands to our Markets, and see how astonishingly our exports will be encreased; and these States benefitted in a commercial point of view—w^{ch} alone is an object of such Magnitude as to claim our closest attention—but when the subject is considered in a political point of view, it appears of much greater importance.[9]

Following Washington's suggestions, the legislatures of Virginia and Maryland appointed a joint committee to discuss plans for improving the navigation of the Potomac River. The committee, of which Washington was a member, met first in December, 1784. By the following May, the two legislatures had passed laws authorizing the formation of a company " for opening the River Potomoc," and the Potomoc Company had been organized, with George Washington as president.[10]

When he became President of the United States four years later, Washington gave up his office with the Potomoc Company. Even under his guidance the company had accomplished little, and after his death it became less and less successful. Ten times between 1786 and 1820, the legislatures of Virginia and Maryland extended the time demanded by the charter for completing the work on the Potomac. In 1819, after $700,000 had been spent, the company asked help from the Board of Public Works of Virginia. In July, 1822, a state commission reported ". . . that the affairs of the Potomoc Company have failed to comply with the terms and conditions of the charter; . . . that it would be imprudent and inexpedient to give further aid to the Potomoc Company." [11]

The Board of Public Works of Virginia, soon after its creation in 1816, had suggested to the Virginia legislature that the waters of the Potomac and of the Ohio might be connected by a navigable canal. This is thought to be the first " official suggestion " of a continuous canal from the tidewaters of the Potomac to one of the tributaries of the Ohio. The idea was dropped at the time; but it was again proposed, and this time acted upon. The Federal Government joined Maryland, Virginia, and the District of Columbia in planning and financing the canal.[12]

In 1823, Virginia and Maryland appointed a commission to examine the route across the Allegheny Mountains that had been explored by Washington in 1784 and to consider the possibilities

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[9] *Ibid.*, 49-50.

[10] Ward, 12-13.

[11] Hulbert, *op. cit.*, 63-64.

[12] Ward, *loc. cit.*, 16-17.

"of constructing a canal from the head of the Potomoc to one of the heads of the Ohio."[13] Later, Army engineers recommended a different route over the mountains.[14] In 1828, in the midst of the great canal-building decades in the United States, the Chesapeake and Ohio Canal Company was organized.[15] The United States Government bought 10,000 shares in it for one millon dollars.[16] The company and its friends wanted a canal about 360 miles long which would connect Georgetown with Pittsburgh, on the Ohio River, and thus obtain trade with the fast-growing states in the Ohio and Mississippi valleys. Three years later, water was admitted into the section between Georgetown and Seneca. Soon, financial and legal difficulties delayed the construction; at last those difficulties and the building of the Baltimore and Ohio Railway forced the company to give up the idea of crossing the Alleghenies.[17] The Canal was completed at Cumberland in 1850.[18]

Though the canal was begun as a cooperative venture, Maryland was the dominating force after 1839. The busiest years of the canal were in the 1870's. At that time, as many as 540 boats navigated it, carrying chiefly coal for the new industries in the Eastern cities. Lumber, grains, and flour also were transported by water as late as 1924. But modern methods of transportation finally caused the canal to be abandoned.

In 1938, the Federal Government purchased it and the narrow right-of-way. Soon afterward, the National Park Service began to restore the 22.1 miles between Georgetown, D. C., and Seneca, Maryland. That area is now a part of the National Capital Parks, administered by the National Park Service, providing recreation of various kinds. Along its towpath, park naturalists frequently conduct guided trips for the enjoyment of birds, wildflowers, and rocks. During the late spring and summer, a mule-drawn barge carries sightseers five miles from Georgetown, and lectures are given about canal and natural history. Twenty-three of the original seventy-four locks are on that restored part of the old canal.[19]

A current proposal before Congress has again brought the old waterway to the attention of the country. Supported by the National Parks Association and by the Chesapeake and Ohio Canal Association, " The program for the old Canal includes restoration of the ancient locks and lock-houses, the repair of the towpath, the rewatering of considerable stretches of the canal itself, and the acquisition of additional land—mainly between the canal and the river." [20]

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[13] *Ibid.*, 66.

[14] *Ibid.*, 78-80.

[15] *Ibid.*, 76.

[16] *Ibid.*, 113.

[17] *Chesapeake and Ohio Canal.*

[18] Ward, *loc. cit.*, 161.

[19] *Washington, D. C.: A Guide to the Nation's Capital*, WPA, American Guide Series (Hastings House, 1942), pp. 480-482.

In 1858, a man from New England enjoyed the pleasures of nature along the canal when, as he wrote, it " ran nearly its whole distance through an uninhabited solitude." The Cabin John Bridge, which he saw, still stands. " Until 1900 it was the longest single span, stone masonry bridge in the world and it attracted local attention. The bridge lacked railings in 1859. Construction rock was transported by canal barge and a lock in Cabin John Creek permitted [the] landing [of] materials at the base of the bridge." Some of the mills which were along the canal in the summer of 1859 are still standing.

Later in 1859, on Sunday night October 16, John Brown staged his famous raid at Harper's Ferry, sixty miles up the canal from Georgetown. A tavern which operated across the Potomoc from Harper's Ferry in that year still stands. The tavern and the area above it are now being added to the Harper's Ferry National Monument.[21]

The early history of the Chesapeake and Ohio Canal has been written more than once,[22] and there are historical accounts of the communities that were villages along the waterway in 1859. The anonymous manuscript that follows is unique because it was written by one who, temporarily, was one of the crew of a mule-drawn barge a century ago. He delighted in his rambles along the towpath, he was seeing most of the area for the first time, and he journeyed the full length of the canal a few years after it was completed. Not only did he have the ability to observe closely but also he was quite articulate and nicely describes life on a barge, gives glimpses of Cumberland and Williamsport, of Alexandria and Washington, together with information about the locks,

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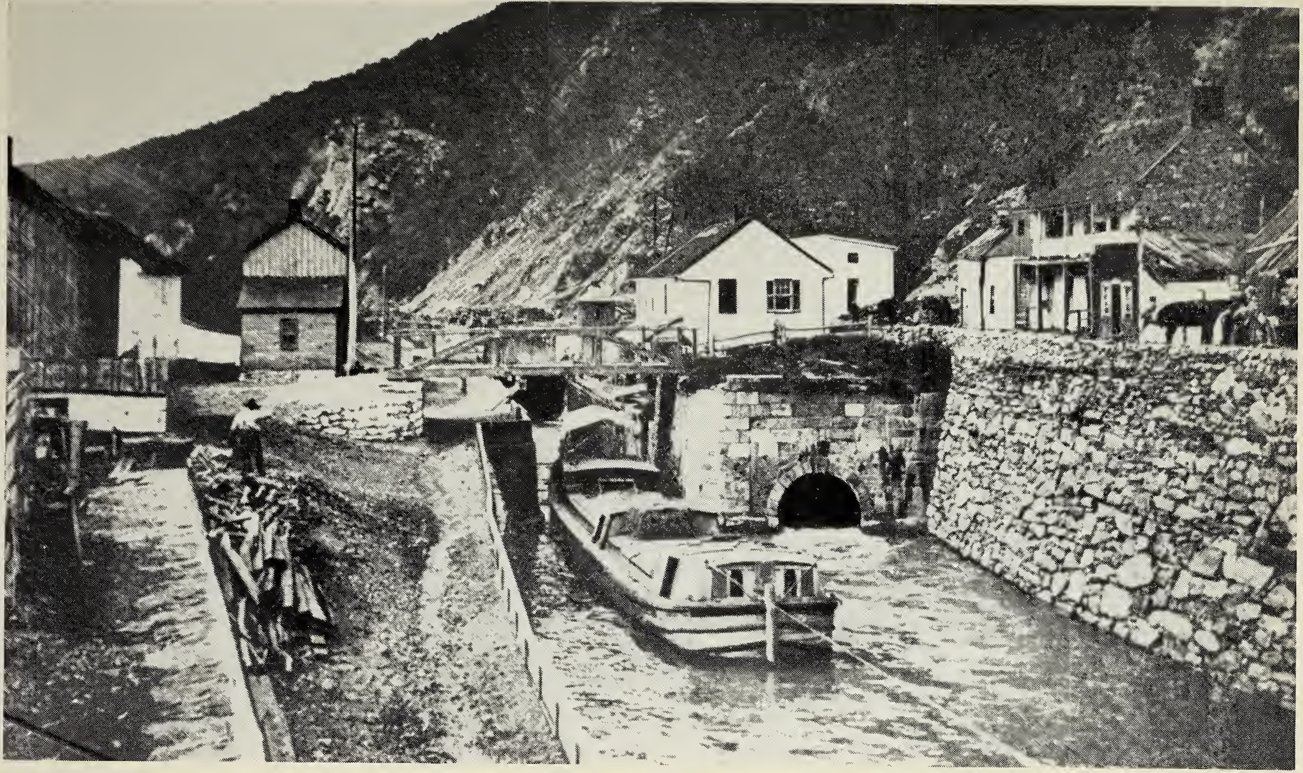
[20] Anthony Wayne Smith, " C and O Canal National Historical Park," *National Parks Service Magazine*, LII (January-March, 1958), 32.

[21] Grant Conway, President of the Chesapeake and Ohio Canal Association, Personal Letter, January 29, 1959.

[22] In addition to Hulbert and to Ward, already referred to, see Walter S. Sanderlin, *The Great National Project: A History of the Chesapeake and Ohio Canal* (Baltimore, 1946). A full-length study.



A Contemporary Picture of the Canal, Left Lock # 33, Harpers Ferry.

(Courtesy of the National Park Service.)

the topography, and the wildlife. In addition he also, though somewhat crudely, illustrated his manuscript with sketches of canal scenes.

Here are his recollections of the voyage as he wrote them.

I was drifting. The financial panic of 1857 had closed the workshops, stopped the hum of the factories, and all kinds of business was nearly at a standstill. The spring of 1858 found me without employment and as a last resort I drifted into peddling, and all that summer climbed up and down the New Hampshire hills, drifting from town to town as fancy or the state of the trade dictated. In the fall I drifted to Washington to take a position in a hotel remaining there until February then drifted on to Cumberland, Md., at the foot of the Allegheny mountains, where I had friends. I then drifted over the mountains into the Ohio valley where I railroaded a little, and peddled a little, drifting as far west and south as Cincinnati. Then I drifted back up the Ohio river to Wheeling, Va., and over the mountains to Cumberland again where I arrived in June, 1859. The chances were that I might drift around Cumberland indefinitely, as my friends did not want me to go to New England again, and there did not seem to be any work for me in or around Cumberland.

In a short time, however, my friend's brother-in-law, a canal boat captain, came into port, and it was arranged that he should invite me to take a trip with him. This would amuse me and relieve my friends and perhaps at the end of the few weeks it would take me to make the round trip there might be some place open for me. I accepted the invitation and drifted on. The life on the canal would be something new to me as my knowledge of it was only what I gained in my winter's journey to Cumberland by walking on the towpath from Washington to Point of Rocks. The canal then was only a cold, dry ditch, as the water was drawn off for winter and was deserted by everyone but a few laborers who were making repairs. The trip would be a change of scenes and I would get acquainted with the life of the canal for I had seen nothing of the live boats and still livelier mules, the barge men, tow boys, cooks and lock-keepers which make up the life of the canal in summer. The trip was not to be a picnic or a personally conducted excursion, and I soon found that it was not to be a junket. I was to go as a boatman, to work, dress, eat and sleep as other boatmen did.

This all happened thirty odd years ago and as I kept no notes, the record of the trip will be the impressions that are left on my memory rather than the incidents just as they happened at the time, and they will probably differ from the impressions one would receive if they should make the same trip today, for no one ever sees the same things the same as another and time has softened the shadows of all the unpleasant things and thrown a halo of light over the pleasant ones. No great event occurred or could be expected to occur to the humble actors of such a trip and I have only the sayings and doings, the little episodes and the everyday happenings that made an impression on my memory to record. The names of many of the little hamlets, warehouses and locks and the detail of much of the scenery has now passed from my mind which will account for the brief mention that I make of them .

As I have said, I was drifting. In the same manner I drifted on over the canal spending days in doing the humble work that from time to time fell to my lot, or basking in the sun, watching the passing scenes. On and on we sailed, with rude hills or high steep cliffs forming a wall on one side for the greater part of the distance.

On the other side the bright shimmering river, now rolling swiftly, now placidly, now roaring over some natural cascade or artificial waterfall. Between the hills and the river lay the canal, mirroring on its calm surface the shady banks or the clouds above, its edge fringed with a border of green grass and water plants. Alongside lay the long gray ribbon-like tow path, and outside of this, at the foot of the bank, a hedge of wild brush and trees connected us with the river. The canal ran nearly its whole distance through an uninhabited solitude.

Only the almost inaudible ripple of the boat in the water, the distant click of the mules' feet, the purring of the river, the hum of insects, and occasional chirp of a bird broke the stillness. It was almost an ideal state of repose. The days drifted by as a dream and as I look back it was a very tranquil dream, day ran into day, sunshine into sunshine, with no care or thought for the morrow.

We left Cumberland the last of June, stopping at Williamsport several days over the 4th of July, then went on to Georgetown and from there to Alexandria, Va., where it took a day to unload the boat. We then returned, making a short stop at Williamsport, arriving at Cumberland about the first of August.

Cumberland is the mountain city of Maryland. It lies in a narrow valley between the Wills and Knobby Mountains, outlying ranges of the Alleghenys, running nearly north and south. The Potomoc river follows up this valley, crowding on the western part of the Knobbys passed [*sic*] the town then breaks through a notch takes a sharp turn to the south and follows the range back on its opposite side. Wills creek, a sizable stream, divides the town in the opposite direction, flowing through a wild gorge in the Wills mountain[,] called the narrows. This gorge is nearly a mile long with almost vertical sides several hundred feet high and was cut by some convulsion of nature through solid rock in nearly a straight line across the mountain. Cumberland at this time had two or three thousand inhabitants and had considerable trade with the back country; it was the center of the eastern soft coal trade known as the Cumberland or Georgetown coal, it being brought from the mines a few miles back in the mountains by several branch railroads which were connected by a gridiron of tracks to the extensive canal basons [*sic*] and also to the main line of the B. & O. R. R. to Baltimore.

Among its industries was a Rosendale cement works with its quarries, kilns and mill for grinding; a small railroad repair shop and not far back in the mountains were iron mines and extensive iron works. These in good times made Cumberland a busy place, especially in the summer.

Cumberland was also at the eastern end of the great National Turnpike built by the U. S. Government over the Allegheny Mountains and away across the prairies to the Mississippi Valley passing through the states of Md., Va., Penn., Ohio and Indiana. It was built in the most substantial manner with Macadamized road bed, stone arch bridges and milestones. It cost the Government vast sums of money but was of incalculable benefit in settling the then new states of the West and was the grand thoroughfare of travel until the railroads were built.

I spent most of my time in Cumberland rambling around in the study of natural history, climbing the mountains, paddling in the river and creeks for snails and muscles, searching the woods for land shells, digging in the quarries for fossils and racing across the fields for moths and butterflies. On one occasion I met a black bear in an old barn and had various experiences with the country people outside of the village who could not understand my erratic zigzagging from creek to rock and from rock to wild flower and back to creek again as one thing after another attracted my attention. One man wanted to know if I was lost and others probably thought I was crazy and others probably considered it simply as one of the common habits of those peculiar people called Yankees.

The day after the Capt. arrived I went down to see the boat, which with many others was moored at the ship yard a short distance down the canal waiting their turn to load.

The mules were tethered in a long string at the side of the fence bordering a neighboring field and were being groomed and fed by the attending drivers. Taking a few steps to get a nearer view of the animals, one of the tow boys yelled, " take care there, them mules will kick a chaw of tobacco out of a man's mouth three rods off." After that I took good care to keep a reasonable distance from a strange mule's heels. The next morning the boat was towed up to the basin for its load which was put in very quickly as the coal was dumped through the bottom of hopper cars standing on trustles beside the boat, ten tons at a time, a dozen car loads furnishing the one hundred and twenty tons that the boat carried.

I packed my bag with the very few things needed for the journey, bid my friends goodbye and met the boat at the ship yard on its return where, after a short wait for hay, grain and other provisions and for the Capt. who had gone for his boat papers, our journey and my experience as a naturalist on a canal boat commenced.

The crew consisted of Captain Coss who was the commander of our floating palace. Although Coss was no part of his name yet it was the prefix by which he was always known even by the members of his family[;] therefore I shall use it in place of his real name.

For a short time in his younger days he had served as " prentice " on board of a war ship but he soon sighed for the placid waters of his own native canal and took the first opportunity to regain them. Here he had thrived[,] owning a comfortable home in Williamsport and two canal boats. For bows man, the second in rank on the boat, we had a stalwart free colored man full six feet tall named Henry Butler[,] who was generally called Pic. A few years before, a man named Henry Butler ran for congress and was for some reason or other nicknamed Picayune Butler and consequently in the height of the political excitement the name picayune was in everybody's mouth and the colored Henry also became Picayune Butler. He made no objections, for a member of congress was a great man and he was willing to be named after one even if the name did mean one of those thin worn-out Spanish silver coins commonly called a four pence in the east and was worth only six and one fourth cents. Pic was strong and trustworthy and made a good boatman and was also the source of much amusement on board for Pic had a lot of vacant shelves in the back of his cranium where he had stored away all the big words he had ever heard in the forty years of his life. These were packed in helter skelter like bric-brac or broken crockery to be brought out whenever his limited vocabulary was not sufficiently forcible to express his ideas. They were used in all manners of ways, the right word in the wrong place, the wrong word in any place and in all the variations and distortions that he was capable of placing them and the more incongruous the word the happier was Pic. Although the words I shall put in Pic's mouth may not always be the exact ones he used[,] yet they are by no means a " gagaration " as Pic would say of the language he used. The writer held the third place on the boat but what it was I can hardly tell as I acted in every position from pilot to tow boy but think I made myself the most useful as cook. We had two tow boys, each about twelve years old. One was little Pic, one of Pic's children who could lay [*sic*] on his back on deck and absorb the July sun by the hour; the other was Tommy, a white boy the captain had picked up on a previous voyage.

The list of the crew would not be complete without the four bay mules which were as sleek fat and gentle as a ladies' driving pony.

We are now on our journey down the canal. For the first few miles we were between the railroad and the river with a narrow meadow on the left with hills beyond. Across the river the Knobby mountains raised a row of rough peaks resembling the knuckles of a closed hand. After a time we came in sight of some locks, the first of perhaps eighty, that we had to pass before we got to Georgetown. This was our first level, for the canal consists of a series of short canals called levels connected one with the other by locks. These short canals are narrow reservoirs of still water, perfectly level from end to end, and when built where the natural surface will admit are made by excavating a shallow ditch and building banks on each side of the earth taken out and when they are filled with water will stand one or two feet above the land through which it runs. But very little of our canal was built through natural plains, in fact it required the most scientific engineering skill to find a place in which it could be built, skirting as it does the Potomoc river almost its entire distance, it had to be cut here into its sloping banks, there built bodily at the foot of some precipitous bluff, now crowded out into the river bed, then cut through some projecting spur or built high on masonry walls over a deep ravine, crossing the larger streams on wooden aqueducts and the smaller ones over stone arches and culverts. In one place it gives up all pretense of being a canal and the boat glides for a half mile on the edge of a big eddy in the river the tow path being a trail in the edge of the high bluff that forms the shore. At another place it cuts across a band of the river and passes through a mountain in a tunnel three-fourths of a mile long.

Each of the levels, which may be but a few rods in length, or may stretch out for miles, is a complete canal by itself and begins and ends with a lock through which a boat may be lowered to a level below or raised to one above.

The lock is the connecting link between two levels and are [*sic*] hydraulic lefts or elevators by which the boats are raised up or lowered down from on to the others. They are short canals with sides built of strong masonry with the bottom as low as that of the lower canal and the top as high as the upper one, and at each end is a strong, watertight gate, through which the boats pass in and out. The length of the locks were [*sic*] sufficient to admit a boat about seventy five feet long, ten feet wide, drawing about five feet of water. When the lock is full the water stands in at the same level as in the canal above, and by opening the upper gate a boat can be floated in. The gate is now closed separating the lock from the canal, and small wicket or sluice gates are opened letting the water run slowly out of the lock into the canal below lowering the boat down to the lower level, the lower gates are then opened and the boat floats out. When the boat is going upstream it enters the lock from the lower level and the gate [is] closed after it, the lock is then filled through wickets in the upper gate which raises the boat to the upper level and it passes out through the gate into the canal.

The difference of the heights between the two levels is from eight to ten feet, making the lower gate from fourteen to sixteen feet high. A higher lift would increase the pressure of the water and require stronger masonry and gates than it is economy to build. The gates are made in halves and fold back in recesses in the side walls when open, and in closing strike sills at the bottom and come together at the center of an angle pointing up stream making a brace against each other and against the side of the lock, forming watertight joints. When the difference of two levels [is] greater than ten feet[,] then two or more locks are placed end to end the lower gate of one forming the upper of the one below it; and as a boat passes out of one lock it enters the next and so on to the end of the series, which are like a flight of giant stairs. It is not often that more than three or four locks are placed together without a short canal or basin in between, where boats can pass each other, but on some canals where this can not be done, two sets of locks are built side by side, one used for boats going up and the other for those going down, avoiding the delay that would occur with a single unit.

As we came in sight of our first lock the captain brought out his tin horn and gave several loud blasts. The tin horn was almost as much a part of the outfit as the mule. The horns were made of all sizes and shapes; some were very long, others were bent back and forth like the French horn. The average length was from two to three feet and [they] were all of the old-fashioned fish-horn type, where the noise was made by the lips and not by blowing through a reed as in the modern toys used by the boys on Fourth of July and occasionally blown by woman at summer resorts. The horns were used to call up the lockmen and were blown when you were a quarter to half mile from the lock. Some of the boatmen, especially the negroes became very expert in blowing the horn and could play very respectable bugle call on them. The Capt. blast brought the keeper from his house and he had the lock filled and the gate open ready for us to enter.

To enter a lock requires care and experience. The boat had to be steered in a direct line in the center of the canal, for the least deviation would cause a collision with the stone walls that might sink it, for it fitted the lock like a nickle in a slot. The boat must also have sufficient motion to carry it to the end of the lock and at the same time it must not strike the lower gate. The Capt. steered the boat in, Pic stood on the bow and jumped ashore with a line and give it two turns around the snubbing post. At the right moment the Capt. gave the word to the tow boy to stop; Pic tightened the rope on the post and the boat came to a standstill just before the cutwater touched the gate. The friction of the rope around the post has to be carefully governed or the momentum of the boat and its load will break it. This friction and the rubbing of the boat against the side of the lock and the force of the water confined in the end of the lock combined to bring the boat to a stop.

The first time I drove the mules when the boat entered a lock we came near having a bad accident. When the Capt. gave the word to stop I said " Whoa " and stood still and expected the mules would do the same. Instead of stopping they laid back their long ears, rolled out their eyes and sprang into their harness and pulled as I never saw four mules pull before. Whoa is not a part of the canal mules language and they supposed it was a new and awful cuss word and probably would have stampeded if the tow line had been broken. The more I whoaed the more they pulled, and the boat was in fair way of going right through the lock, so I rushed to the head of the front mule, pushed him back against the next and in this manner stopped the whole line in time. The word that they use to stop the mules, as near as I can spell it, is ye-yip-ye, but you must put in all the right accents, inflections and quavers, or the mules will as likely gee off as stop. I took lessons of Capt. Coss, of Pic, little Pic, and of Tommy, and after considerable practice got so that I could pronounce it sufficiently well to stop the mules, but I always imagined that I could detect a smile on the mules' faces when they heard it.

Each lock had its keeper whose duty was to open and close the gates for the boat at any time of day or night. When the locks were connected one keeper might have charge of two locks but if they were any distance apart he could not, as there might be boats that wished to pass each at the same time. Every lockman was furnished a house near the lock where if the ground was suitable he could have a garden and if there were several locks near enough each other to be neighborly it was not an unpleasant place to live[;] and even where they were several miles apart the family could easily visit each other riding back and forth on the passing boats. The lock keeper also kept watch of the canal banks in his vicinity[,] and where there were connections with the river he attended the gates that supplied the canal with water. There was also an inspector or tow-path keeper who rode back and forth over his section of the canal to see that there were no breaks, leaks or washouts, and to make light repairs whenever they were needed. At the first lock the railroad passed over the canal and crossed the river to the Virginia side and was not seen again until we reached Harper's Ferry, over a hundred miles below.

There were two kinds of boats on the canal[,] one of very primitive shape, being nearly the shape of an oblong box with great square ends. These boats would carry large loads but were very slow sailors, as the water made a great resistance to the flat end in front and did not leave the boat easily at the stern. There were very few of these boats left and those that were painted at all were covered with a coat of coal tar. The other boats had their ends moulded and formed the same as a ship, making as fine lines as was consistent with the load they were to carry and the slow speed they sailed. All the new boats were built at Cumberland where they had a miniature ship yard employing the various mechanices as ship carpenter, smiths, painter, and calkers to be found in large shipyards.

A boat is divided into three apartments, the center was left open except a narrow walk around the edge and formed the hold where the freight is stored. Over this were placed movable hatches making a watertight covering. At each end of the boat is a cabin with the roof raised about three feet above the deck. The front one is used for a stable and the rear one is divided into a stateroom with berths and cooking galley. The cabin was not so wide as the boat above the deck leaving foot ways on each side. Behind the rear cabin was the tiller deck from which the cabin stairs went down, and under it a kind of cockpit, about four feet high, where Pic and his boy slept and no place could suit them better as it was the hottest and least ventilated part of the boat.

When the boat was loaded the water came within a foot of the deck but when it was light it just skimmed over the water not drawing more than one or two feet and would be almost unmanageable outside of the canal as it had no keel to prevent it from drifting with the wind. There were some three or four hundred boats on the canal and [they] were of all ages and in every stage of repairs from those that were bright and shiny to those that you could not tell what was the color of the last coat of paint. A hundred or more of these boats were brought from the Erie canal, when that was enlarged, by the canal companies who now own nearly all the boats, the boatmen furnishing teams and outfit, receiving so much a ton for hauling the coal, paying their own expenses and the toll on the empty boat back to Cumberland. The cost of a new boat was from twelve to fifteen hundred dollars.

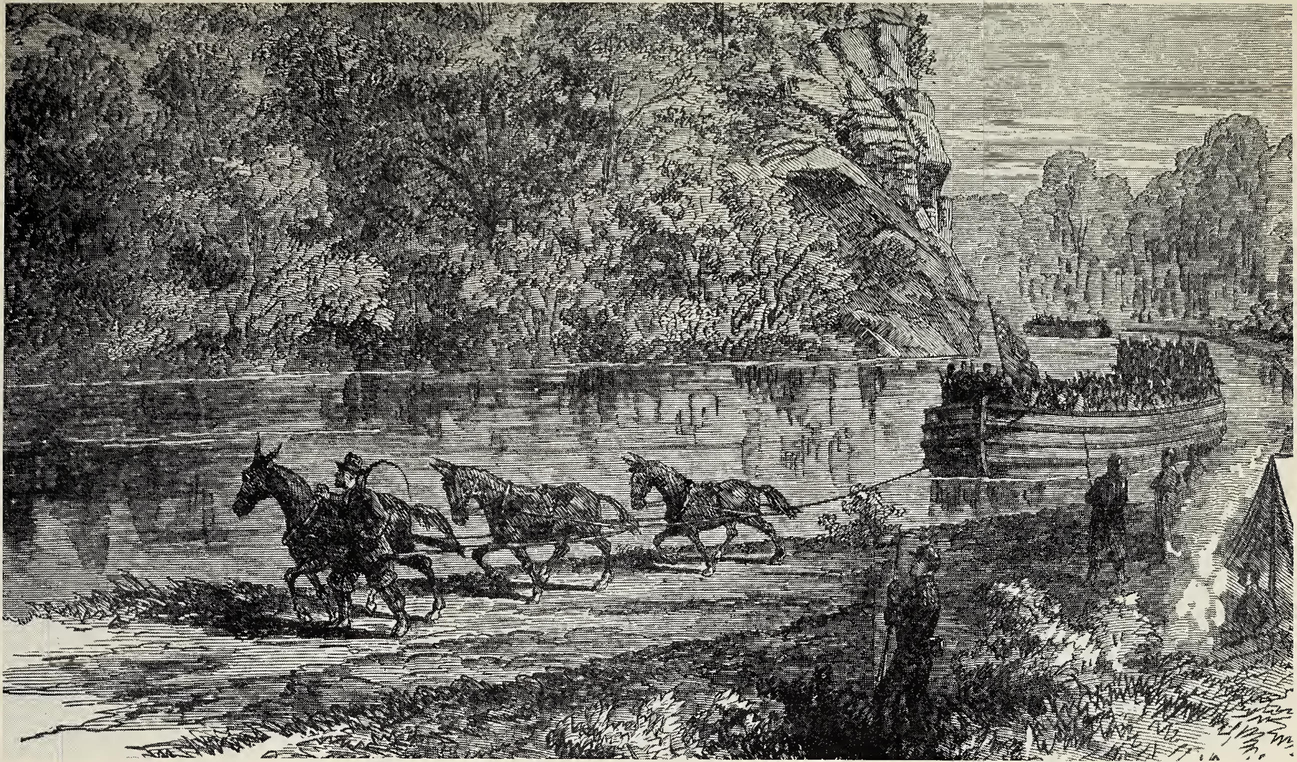
Capt. Coss owned his own boat, the "Caroline of Williamsport." The boat was new clean and white and the Capt. was very proud of it. By owning the boat he could come and go as he pleased, get a better price for carrying the coal and when there was a change he would take in a cargo for any point along the canal.

I was not long on board before I was given a lesson in boat steering, Pic keeping watch with a hand ready to grasp the tiller if by some mischance the boat should get the advantage of me and try to run ashore. Boat steering is very simple; you stand with one arm over the tiller and sight across the bow of the boat[;] then pull or push according to the direction you wish it to go, but it requires constant attention and the steersman has to be constantly on the watch for the slightest deviation from the direct line and immediately overcome it by moving the rudder. This soon becomes instinctive, like steering a bicycle, and requires but little exertion but sometimes, by carelessness or otherwise, and you often feel that it was mere wantonness on the part of the boat, it will take a start for one side and, do the best you can it will hardly escape striking the bank, when over it will go to the other side and just miss grounding there, back and forth it will go half a dozen times before you get it calmed down to straight ahead then perhaps for miles it will not deviate a foot from the right direction. This erratic steering reduces the speed of the boat and adds to the pull of the mules, besides, there was the danger of running the boat aground or in some places of bumping a hole in the bottom on a ledge.

The connection between the mules and the boat was the tow line, a strong rope three fourths of an inch in diameter and near a hundred feet long, which was fastened to an eye-bolt on one side near the middle of the boat, and as this was near the pivot point on which the boat turned and drew nearly straight ahead, it had but little effect on the steering.

In canal language the mules were geared together and not harnessed. The mule gearing was of the simplest description possible consisting of a bridle and breast plate with a strap around the body to keep it in place. The traces were chains that hooked into rings on the mule in the rear with spread sticks between each mule and one where the chains came together at the tow line. When we had all four mules hitched tandem they formed a straight line between two long chains that were nearly as rigid as wooden poles[,] the spread sticks keeping the chains a sufficient distance apart as not to chafe them. It took no little power to start a boat loaded with one hundred and twenty tons of coal drawing five feet of water for a standstill and get it up to speed of two miles per hour. A quick pull of an hundred horses would have but little effect except to break the tow-line, yet a boy ten years old could start the boat by making a long steady pull[;] after a while he would feel it yield and perhaps in three or five minutes could make a single step, then another until the boat would move at a slow but steady speed according to the strength of the boy. In the same way the well trained mule could draw the tow-line tight and make an easy pull leaning against their breastplates until the boat began to move, then step after step until the boat was up to speed and all day they seemed to be resting on their breastplates and stopping only to keep from falling forward.

At night, or when we stopped to feed, the boat was hauled up to the



A Civil War View of the Canal, by Thomas Nast.

(Courtesy of the Enoch Pratt Free Library.)

shore and made fast, the mules ungeared and the feed trough brought out. This was about a yard long and large enough to hold two buckets of corn in the ear and had but two legs, a tree, post, or fence serving for the others, being fastened to it by a rope which passed through two holes in the back. This made the trough a fixture that could not be tipped over or run away with.

We are sailing on and on making from a mile and three fourths to two miles an hour according to the number of mules in use at a time; occasionally we met a boat going up the canal some of whose crews saluted Capt. Coss or Pic but most of them passed silently by. Some of the boats were drawn by a single mule others had what was once a horse, still others had two or more but none had a better team than ours. We saw very few boats going in our direction either in the down or return trip except when we were tied up to the bank, for the rate of speed was so near the same in all of the boats that the time spent in passing a lock would keep them separate until they came to the next and only on long levels could one gain enough to pass another. We were tied up to no regular hours and lived in Arcadian simplicity. We rose with the early morning light, fed the mules, and when they had eaten their breakfast a pair was hitched up and we started on our day's journey driving them about four hours when they were changed for the other pair; at the end of the next four hours they were again changed, and so on making four shifts and sailing from sixteen to eighteen hours a day, the Capt. Pic and myself taking turns at the rudder while the two boys changed off from time to time and occasionally Pic and myself would drive for an hour or two, walking for exercise; the boys usually rode the rear mule.

Some days the four mules were hitched tandem, then we drove about twelve hours, with a short rest at noon, ungearing them to let them roll which seemed to refresh them nearly as much as a half day's rest. These might seem long days to work in the present eight and ten hour times, but as far as the work was concerned, it mattered little whether the boat sailed or not. There were the meals to cook, someone must stand at the tiller, and the mules must be driven, and there was about five minutes work for one of the others at each lock, the rest of the time could be spent reading, sleeping, viewing the landscape or telling stories, in which all but the boy driving could take part.

We had several ways of getting ashore from the boat. At the locks we could step off and on as the boat touched the sides. On the long levels there were guard locks made by building dams across the canal with narrow openings for the boat to pass through where we could get off when the boat was in motion. These guard locks could be closed by plank that fitted in a groove in the stone work and were used in case of an accident to shut off a portion of the canal for repairs. At other places we would run the boat alongside the bank, but that took time so instead of stopping we usually let someone drop the end of the plank on shore and the moment it touched [we would] run down. It seemed very simple for the boat could not move far while you ran a dozen feet but the end of the plank on shore was stationery while the other end kept moving with the boat and as you ran in a straight line the plank would twist under your feet and you would run off the edge when about two thirds the way down; then you would have to jump, perhaps on shore, perhaps in the edge of the canal. Another way was to take one of the boat poles place the end in the water and with a running jump swing your self ashore. When you wished to get on board again, if the Capt. did not feel like stopping you could trudge along the towpath until you came to a lock.

James Buchanan was president at the time and he spent his summer vacations at Bedford Springs, Penn., a watering place about thirty miles north of Cumberland. He came by rail to Cumberland stopped over night at the Revere house and in the morning took a coach for the springs. Of course the whole town turned out to see him off for it was not every day or every one even that had a chance to see a live president.

It was worth while for anyone to see President Buchanan for he was a noble, dignified looking man, at least six feet and two inches high and in perfect proportion.

Pic went up from the boat the morning we started and with little Pic saw him off on the coach. Pic knew he was a great man, that the President of the United States was the greatest man in the country, and if he went to see him he would have something to brag about to his friends down the canal. After we had started Capt. Coss said, " Pic, did you see the President? " "Yes sar." "What did you think of him? " "Well, I tell you, boss, I shouldn't want to tackle him." That was Pic's idea of greatness.

Along the canal at villages, or important agricultural districts, or where valleys break through the mountains, there were warehouses where mule feed and other boat stores including bread could be procured, and where goods could be received and delivered by the boats, and occasionally there were basins where several boats could be stored to turned around, for the canal was not wide enough to turn a loaded boat. It was at one of these way side warehouses that we made fast to the side of a low long building. In a few minutes a clerkish looking man said all right through the window and we went on, Capt. Coss said he had weighed the boat but as I saw only the man and the side of the building I did not get any idea how it was done and it has always been a question with me if he did weigh or only gauge the depth of the boat in the water.

Once in a while the boat would take a quantity of hay or grain on speculation and peddle it out to the other boats. We met one who had oats for sale and we bought a few bushels at a discount but found when we used them that they were so light in weight that we had paid more than they were worth. Every boat carries what might be called ship papers, that is a bill of lading which states what you have carried for freight to the smallest item, and the distance it was carried, as the canal charges toll on all freight and also on the boat itself. These papers have to be subscribed to under oath. The only extra freight we had was two barrels of whiskey sent from one village to another. Pic. and the Capt. sampled the whiskey by driving down a hoop and boring a small hole with a gimlet and drawing out a flask-full. After plugging the hole they drove the hoop back and none but the crew were the wiser for it. On the previous trip the Capt. had a boat load of lumber from some point up the canal to Cumberland.

Our quiet life was occasionally enlivened by some little incident which would give us something to talk about for an hour or two. One such was the collision. Coming up the canal was an old lugger standing high out of the water drawn by a poor old white horse on which Pic. was making a mental calculation on how many more trips it could make. The only person in sight was a mulatto woman at the tiller. She gave us a wide berth and everything seemed all right until we were within a few feet of each other when the boat took a tack and came direct for our port side where a collision with the sharp corner of her boat would have stove a hole in ours and have sunk us, but Pic. with wonderful presence of of mind threw his helm hard over and the stern of ours struck square on the corner of theirs giving a shock that brought us nearly to stand still and fairly raised the boat up out of the water. In a moment the woman's husband appeared from the cabin where he had been asleep. When we passed we saw the cause of the accident, the woman had steered very near the vern side to give us plenty of room and struck on an old tree that had fallen into the canal and sent the boat over to us. As it was, it did not harm but it was a narrow escape for us. We met the other boat on our return with a load of coal and they reported that it had not leaked a drop.

At another time two of the mules fell over board. As Pic was driving them out of the cabin on a narrow gangway of planks one slipped off and both went over into the water. A couple of young boatmen who were standing near sprang in and led them up the steep bank on the tow path none the worse for their bath. If they had got tangled in their harness they might have both been drowned.

The first question asked a boatman is how do you live on board. We had a small cook stove in which we burned the soft coal with which the boat was loaded, a spider, an iron teakettle, plates, knives, forks, and several of the small cooking utensils including a molasses jug. The bread was purchased at the warehouses along the canal and at the village grocery stores. Ham and bread was the standby. Luxuries in the shape of fresh meat and vegetables were occasionally purchased.

It was bread, dried bread, bread and molasses, and bread. Ham, fried ham, and ham that made up the usual variety. By bringing the slices of ham to a boil in one or two changes of water removed much of the salt and smoke and made it much more palatable and tender. Potatoes when we had them were boiled in the teakettle, then the coffee was made and the dish water heated all in the same utensil. I did most of the cooking but shall not brag of any fancy dishes for I lacked that essential for young housekeepers, a cook book. Perhaps an extract from a letter written by a friend who traveled on a canal in Ohio will illustrate canal living. He writes " I rode on a canal boat to Cleveland, where the captain swore at the cook for breaking all the dishes and the cook swore at the captain because he had never bought any, eat with a one tined fork and did not have any appetite." When Tommy the tow boy first came on board, he had a dog. The captain soon disposed of it but not until he had left a number of his messmates, these in the shape of fleas took possession of the berth in the cabin and drove the captain out to sleep on deck in the hay. When I came on board he kindly gave me the stateroom so it fell to me to fight the fleas.

Fleas are very lively animals and more often felt than seen. After a while I arranged a trap and caught numbers of them. Perhaps a description of my trap may be of interest to you. Whenever I felt one of the fleas walking along on the bare skin giving a bite now and then I would put on the teakettle and when it began to boil I would quietly roll the little fellow up in my shirt, take it off and put it in a pail and pour the boiling water over it. When the water was cool enough I would take out the shirt and unroll it and find the flea every time. It was a slow but sure method of catching them. A few minutes in the sun would dry the shirt, which was much freshened by the operation. I do not suppose that I caught them all, probably some jumped overboard but I thined [*sic*] them down so they did not make life a burden before I left.

When there was nothing else to talk about on board we used to discuss the great bone gathering scheme. Ever since the canal was completed a large share of the horses and mules employed in towing the boats were in their last stages of usefulness. These never left the canal, they paddled on day after day until they dropped in their tracks or were turned out to die in the narrow space between the canal and the river. Here their forgotten bones had been gathering for thirty years and to these were to be added all of those that had been sacrificed in the building and in the subsequent repairs of the canal. I think Capt. Coss first suggested the enterprise, Pic. and myself immediately fell in with the idea and even the tow boys showed considerable interest in it. I was to get a cheap mule and take the Captain's old boat then with another young fellow and a tow boy start from Cumberland and follow the canal down to Georgetown, gathering up all of these bones. The probabilities were that we could get a boat load which would weigh from sixty to seventy tons and that they could be sold for two or three dollars a ton which would make a very good venture., Every time we passed through a zone of perfumed air that told the tale of the disaster that had befallen the motive power of some boat or where we saw the half dried and half dismembered anatomy where the hog and fox had made many a meal or even a single bone cleaned by insects and bleached white and shining by sun and weather then the fruitful subject would come up and whenever we passed a boat Pics. critical eye scanned their team and if there were a care-worn or discouraged looking mule in it he would remark that we " had a morgrum on dat mule " and we can soon add his bones to the load, which was Pics. way of saying that we had a mortgage on it which in all probability nature would soon foreclose.

One day when we were talking it over I asked the Capt. what use they could make of the bones. As the Capt. hesitated a little before he answered, Pic said " I'll tell you boss, you know Capt. Coss dat Yank Bill dat use to run on the Red Bird?" "Yes?" "Well he done tole me about it. He say dat da take the bones up noff [north] in New Jersey where he lib and grind them all fine like hominy then they put them in a big tank and cover them with oil." "Oil! Pic, what kind of oil?" "Vitriol oil sar." "Oh! oil of vitriol?" "Yes sar, day put dem in the tank and cover them with vitriol oil, and it sets up a contageous decombustion dat confiscates the bones then they are put in a big kettle that goes rolling over and over on gudgeons until it produces a conjection and when it comes out it is a fust-trate of lime which they sell to the farmers for manure at four or five dollars a barrel.' I don't know nothin' about it myself but that is what dat Yankey Bill said, and I saw a barrel of dat fust-trate of lime at a warehouse in Frederick Co. and I should think that it contained the conglomerated essence of de abstract of a whole boat load of burnt bones by the eflubrium it devolved." Again and again was the scheme talked over, and many were the castles we built and the millions we saw in it, but yet we took not the first step of practical work towards it. We did not even explore a single section of the canal to see how many bones there actually were or even ask if there was a market at Georgetown for them and when I arrived at Cumberland the whole subject passed out of my mind and was not thought of again for years.

I had watched at Cumberland a colony of solitary bees who made their nests in clay pockets in the perpendicular cliff, and the Capt. called my attention to another colony in a rock cutting along side of the canal. These bees were the size and shape of the common "bumble" bees of the field and although they worked in colonies they were not socialists but worked independently of each other, each one having his own separate nest. When the colony had selected a place on the side of a cliff where there was a cavity filled with clay each bee would go to the nearest pool and fill his stomach with water then she would pour it on the clay making a small damp spot. The damp clay is carefully scraped up into a ball about one eighth of an inch in diameter and left sticking to the edge of the place where it was excavated. The bee flies away and gets another drop of water and enlarges the hole by digging out another ball of clay which she leaves at the side of the first. This is repeated and shortly she has a hole the size of her body with a ring of clay balls around its edge. The bee keeps on digging, sticking the next row of balls on to the first forming a tube extending out from the face of the bank. This tube one-half inch in diameter and when finished three or more inches in length extends straight out for a short distance and then bends down making a round elbow parallel to the face of the bank and contains from two hundred and fifty to three hundred clay balls. When the tube is fairly started the bee gathers up the ball with her front feet then passes it to the middle feet and then to her hind feet with which she carries it to the end of the tube and puts it in position. The speed at which they work is wonderful the tube showing the color of wet clay for the space of more than a half inch on a hot June day. After the bees have excavated the holes three inches or so deep they gather a quantity of pollen or other food for her future young and [she] lays an egg at the bottom of the hole. The bee now fills up the hole by wetting each ball separately and breaking it off from the tube and carrying it back into the hole, for the tube is no part of the nest but the most convenient place to store material until she wishes to use it again, leaving the face of the wall nearly as smooth as it was when she began. A colony of these bees with one or two hundred tubes in the space of a yard square hanging from the face of a perpendicular rock is a sight not soon to be forgotten and when he has studied their work [he] is inclined to question the idea that only man has reason.

Pic had his idea of natural history. One of these was that frogs rained down. Whenever a person has made up his mind that something is produced by some supernatural cause, no amount of argument or proof that it was produced according to the common law of nature will have the least effect with him. I described to Pic. how the frogs and toads lay their eggs in shallow ponds where they are hatched into polliwogs, and that the polliwogs gradually turned into little frogs and toads by absorbing their tails and growing legs and that when their time comes, generally on some warm, damp day, they would crawl out of the water on to the land where they would begin to breath[e] air and become real frogs or toads. " That all may be so," says Pic, " but I don seen them rain right down on the brickyard floor where I use to work and da would bound like rubber balls when they struck the ground. I seed it with my own eyes, don't you spose I know? " I gave it up, it was no use to remind him that all around the brick yard were pools of water full of growing frogs waiting for that shower to come and that the bounding of the frogs was only their jumping as they started off on their journey of life. But this is no worse than an otherwise intelligent man in New Hampshire who declared that the common " rose bug " lost off its wing covers and turned into horse flies in July and August. Speaking of horse flies, there were among others a very large species of fly that would occasionally alight on the mules and nearly drive them frantic. In shape it was like a common house fly, nearly black, one inch or more long and broad as your thumb.

Our conversation drifted from one thing to another one day, until someone made a remark about ghosts. I said I did not take much stock in them. Pic's eyes began to roll, " Dare is ghosts " said he " I've seed'en wid my own two eyes." Are you sure they were ghosts Pic? " By golly, I knowed they were ghosts! " Where did you see them? " Well I tell you. One evening I was coming home up through the old squaw bog road from Uncle Peters. It was a lonely night and I started just as the moon went down behind terrapin hill. All the evening the ball bats had been sailing around with their boo, boo. As I passed the old mill a partridge flew out of the road with a fearful whirring den at the bridge ober the creek there seemed to be a whole regiment of frogs with more different voices den you eber heard at de colored campmeeting over the de ridge. I went along but I kept both of my eyes and ears open for dare was a kinder of a creepy feeling down my back. I passed the deserted house up through the thick hemlocks to the old cellar hole where they say the squaw was murdered. Just then there was a louder boo then eber and dis niggers wool began to straighten out and as true as we are here on the canal dare was a ghost standing on the hearth stone in front of the old fireplace." What did you do, Pic? "I just angulated my legs and run." What did the ghost do? "He ran too. He ran after me." Did he catch you? "No, by golly, I outran him. O didn't I run, why I was ready to lie down prostrate in a dead faint and go into convulsions when I got home I was so scared and ex-hoss-tocated."

What did the ghost look like? "Well I can't preterzacly tell, howsomeever he loomed up awful and spooky like then he kinder spread out a pair of white wings like the cerabibs on the old gravestones then he started for me and I could hear his great hoofs clomp clomp over the stones. Why! he come like de wind taking more den ten foot at a stride." And you kept ahead of him? "Yes, I did, but once or twice I could feel his breath on the back of my neck and I expected every minute he would put his paw on me and that I should be fugaciously destroyed. But I tuckered him out at last and gotaway, but I do not know how." Says I, "Pic, was you drunk?" "No, sar, I was not drunk but I will allow dat I had two or three glasses of whiskey just before I started from Uncle Peters to kinder keep my courage up." Pic did not seem to enjoy the smile that passed over the faces of the listeners and ominously shaking his head said "that story is true, it is just a [sic] true as I stand here and steer this boat and aint saggerated one mite. And you would not laugh if you had been there that night."

Capt. Coss said he had a little experience in that line once but he would hardly call it a ghost story. I had been to a singing school, he said, and had walked home with a young lady and when I left it was getting late, in fact it was beginning to be early so I hurried along thinking of the singing school and of those that were there so I did not take much notice of the road side, of course I knew when I came to the graveyard and took occasional glances at the white stones and the black posts and the blacker chains that surrounded some of the graves, and the old weeping willow that hung over the hearse house swaying in the wind. I had got opposite the old town tomb and was thinking if I should find the back door unlocked or if I should have to skin up the apple tree and crawl over the shed roof and in at the attic window when I got home. Just then a terrible shriek as if the whole graveyard had broken loose seemed to come right out of the tomb. Every hair on my head stood on end and I jumped more than ten feet and started to run for dear life but brought up against a pitching post that nearly knocked me senseless. While waiting to get my breath and considering what to do next I heard the shriek again, but it did not seem so loud, turning quickly around, I saw two enormous tom cats just in the act of clinching in mortal combat on the very top of the tomb. I stopped long enough to see a wheel of legs, tails and fur whirling in the air. I then went on, but it took a long time to get over the effect of the fright. Pic. scratched his woolly head awhile and then said, "dat will do, Captain Coss, dat will do, but I done seen a real ghost sure."

A few days sail brought us to Williamsport where Captain Coss and

Pic's family lived and where we stopped about a week over the Fourth of July Tommy and myself living on the boat.

Williamsport was a quiet village of a thousand or more inhabitants lying a short distance back from the river in the valley of Washington Creek and hidden from the canal by low hills. There was a flour mill, two churches a few country stores, bakery, and blacksmith shop.

The Haggerstown [*sic*] Pike ran through the town and was probably one of the best-kept roads in the country. Down by the canal was a basin where the Capt.'s old boat was stored, near which we tied up. A small sawmill and an old barn was [*sic*] the only buildings in sight except the top of the church spire over the hill in the village. Just above the boat landing, the highway from Williamsport to Martinsburgh, Virginia, crossed the canal and Potomac River. This was one of the roads used by General Lee in his retreats from his raids in to Maryland. There were but few bridges across the river, ferries and fords taking their place. While I was at Williamsport the few people that crossed the river forded it as the water was only about two feet deep.

Just after noon one very hot day an old gentleman and his wife started from the Williamsport side in an open wagon and went bumping over the stones that formed the river bed until about half way across when the whiffle tree bolt broke and they came to a standstill. Instead of taking some of the straps from the harness and fastening the whiffle tree to the cross bar of the shafts until he could pull the wagon ashore he left the team and his wife in the river and waded back and hunted up the village blacksmith. Then he and the blacksmith waded out to the carriage took out the broken part, waded ashore again mended it and then waded out to the wagon and put it in place taking in all about two hours. All this time the woman was holding the horse in the broiling sun with only a small sunshade to protect her from the sun overhead while every wave and ripple reflected the sunlight from below. A little Yankee gumption would have taken her ashore and saved her all the discomfort.

On the side of the hill about half way from where the boat was moored to the road were some oak trees under whose shade the colored women of the village did their washing bringing their water from the canal a distance of ten or a dozen rods. I wondered why they came there, if it was for lack of water or simply habit, or for the sociability as several would come together, but found it was for the soft water that came through the canal from the river as the village wells were all very hard.

One evening Capt. Coss, his brother and myself went a gig fishing. There was a little flat bottomed boat in the basin, which we took over to the river and floated down half a mile or so. The gig or jack as it is sometimes called, was an openwork iron basket set on the end of a handle about four feet long and when filled with pitchwood formed a torch giving a very brilliant light. This torch was fastened to the front end of the boat and lighted up, then we took off our pants and waded into the river, the Capt. going on one side, his brother on the other each with a spear in one hand. I followed behind pushing at the stern while they guided the bow. We took the middle of the river and worked upstream the bright light of the gig illuminating the bed of the river. When ever a fish was seen, one would let go of the boat, poise his spear with both hands and strike for it. His success depended on the accuracy of his aim, the refraction of the water and the quickness of the fish, as it was we caught enough for a meal for both families, and frypan full for Tommy and myself on the boat. The fish we caught were the white and common catfish or bullheads, chub and a fish of the perch kind. The only inconveniences we found was [*sic*] the sharp snail shells which covered the stones. These hurt our feet so that we had to put on our shoes.

I made considerable study of the shells in the Potomoc River. There was one species nearly an inch long and about one-half inch in diameter that was found below Williamsport and in Washington Creek so common that you could get several specimens on every stone you might pick out of the water yet a short distance above I could not find one. Another a smooth cone about one-half inch in diameter and the same in length was common everywhere below the Cumberland and up the Wills Creek but I could find none in the river above. All the shells in the river had their small ends eaten a way by the carbonic acid in the water while those in the two creeks were perfect.

Before we left Williamsburg Capt. Coss got up a blackberry party which included his daughter, Tommy and myself. We carried the little boat down below the lock and I got a strip of edging from the saw mill to splice out the pointer for a tow-line, for there was only a paddle made from a bit of board to row with. I towed them apiece[;] then Tommy took my place and I sat in the bow and had the grandest panorama of water snakes I ever saw. Before this I had never seen a snake in or around the canal although Capt. had warned me to look out for copperheads among the brush. It seems that the snakes were along the edge of the canal hid by the low shrubs and water plants and the pole that we used to tow the boat dragged through these and stirred them up and they started for the other side of the canal and went wiggling across about four feet in front of the boat and about five feet apart giving an average of a thousand snakes to the mile. We landed on the vern side a mile or more down the canal and went through the woods and on to a side hill. I followed an old stone wall and in an out-of-the-way corner of a pasture found a considerable patch of vines. The small tin cup I had was soon filled and as the others had disappeared with the pails and were out of hearing, I took off my cap lined it with leaves and picked it full, two quarts or more. I then came back to the canal and found the boat gone and no one in hearing. A short distance below I found a culvert where I could crawl under the canal and get on the tow path side and walked back bareheaded. I found a dish at the boat to put the berries in and sent them up to Capt. Coss house. My berries were about the only ones picked the others getting discouraged went home. I was invited out to dine the next day and we had blackberry pudding for dinner. A few days later when we were below Harpers Ferry the blackberries were in their prime and I stopped off and picked a two-quart pail full along the tow path, overtaking the boat, which had sailed along, after a short walk. They made a fine relish to our ham and bread.

On the Fourth of July the church that Capt. Coss' family attended had a picnic about three or four miles up the canal. A flat forty or fifty feet long used for transporting gravel for canal repairs was improvised as a barge and was trimmed up with evergreens, flags and banners. Seats of various kinds were placed on it with two arm chairs in the center for the minister and his wife. The sabbath school marched over and filed on board.

The old maids and matrons with the babies occupied the middle of the boat. The young men and maidens took the outside seats, while the deacons and the sabbath school officers patroled the edges to see that no one fell overboard for there was no railing. Someone loaned them an old white horse for motive power and our boy Tommy held the place of Honor being delegated as driver of which he felt very proud and had spent most of the day before fitting a new cracker to his whip.

After the first half mile Tommy was called in to sample the popcorn and lemonade while some other kid mounted the tow-horse. To insure perfect safety to the excursion Capt. Coss held the tiller and piloted them to their journeys end. It would seem to be hardly worth the while to be to so much trouble to go so short a distance but then it was an hour or an hour and one half journey which would be equal to twenty five or thirty miles by rail or excursion boat and with a chance to see as much or more of the scenery and with no danger of accident. Pic with his young Pickaninnys had their celebration with the members of Zions Wesleyan First Colored Methodist Episcopal Church of Williamsport, while I spent the day alone in the boat thinking over the declaration of independence, how all men (except negroes) were made free and equal.

One afternoon I walked out on the Haggerstown Pike beyond Williamsport village where I found great numbers of tumble bugs rolling up their balls. In one place I counted one hundred and twenty five in the space of a rod. They were of different species from those I had seen in New England being nearly round with thin black wing covers while the northern species are more angular in shape and have thicker wing covers which are often rough in texture. There are also those that have bright green and others mahogany brown wing covers, but these are not very common. All I saw that afternoon were of one species and were about one-half inch across and were making their balls out of horse manure found in the road. These beetles worked in pairs although there were sometimes three at one ball which was nearly round and from five-eighths to three-fourths of an inch in diameter and after it was shaped it was rolled to some place where it could be buried for the road bed was as hard as a stone. It was very interesting to watch them roll the ball. The male climbed up on one side clinging to it with its claws so as to throw the ball out of balance and pull it over toward him. The female went behind the ball and placing her front and middle feet on the ground with her head down pushed and guided the ball with her hind feet. Thus they pushed and pulled the ball, little by little, both going backwards until it arrived at its destination, often two or three rods distant. On the smooth road it rolled comparatively easy, but even here every little pebble formed an obstruction; at the edge of the road the serious work commenced, there was the ditch where often the ball and beetles would go rolling down together for they never let go. Then came the road side bank, often steep and obstructed by stones, grass and twigs. Up this they would tug and push, rolling this way and that, but always striving to keep in the same direction, now getting part way up and then rolling back, over and over again but never giving up. Now and then they would make a short reconnoitre to select the best path and then at it again. On they pushed it, across the road, through the ditch, up the slope, under the fence, out into the field where they had selected a soft spot, there they would dig a pit five or ten times their own depth and roll the ball into it and fill up the hole. In the meantime the female had laid an egg on the ball which was to serve as food to the grub when the egg hatched and as a single ball would furnish food to one grub only, a pair of beetles would probably have to roll up several hundred balls in the course of the season.

I did not have the time to watch one pair of beetles from the commencement of a ball to its final deposit in the ground, therefore could not tell how long a time was occupied or how many balls a pair would roll up in a day, but I saw then in all the different processes, the forming of the ball from the fresh manure, the roll across the road, the exciting tumble down the ditch, which might be compared to two men rolling down a fifty-foot cliff clinging to a barrel, then all the various stages of climbing up the bank, a mountain in size to them, and rolling back down again, the journey through the field and the digging of the pits where they were buried.

I was on the shore grooming the mules when a strange object came walking down the canal carrying a fiddle under its arm and went on board the boat. It had a drabbled calico dress with skirts hanging straight down which was more noticeable as hoops were then in the height of fashion. Tommy was aboard and entertained the visitor but I kept an eye on the object. After talking with Tommy a while it played him a tune or two and went on its way. I afterwards learned its history. It seems that when it was born it was a serious question whether it should be called Abby or John, but it was finally decided to call it Abby and by that name it was christened and the mistake was not found out until it was too late, but from the time the child could speak it protested by word and action and now grown to full stature it was a veritable vagabond traveling around the village with fiddle, a palm-leaf hat, whiskers, heavy bass voice and dressed in petticoats.

Those people whose knowledge of a hog is limited to one confined in a dirty pen six feet square and fed regularly all he can eat three times a day have but little idea of the real nature of a hog that has unlimited range and who has to get most of his living by foraging. Really there is hardly any animal that shows more cunning, energy, perseverance and neatness than the hog when he has his liberty. Everywhere in this part of the country the hog has free range, even in Washington the hogs were at that time as common in the streets as dogs, and you could frequently find them asleep on the walk with their nose over the curbstone and their tail curled through the front-yard fence. When a Lady came along she had her choice of punching him up with her parasol or going around through the mud or dust of the street. We did not often see them along the canal unless we stopped to feed the mules, then a hog was sure to appear even if it was miles from any habitation. They would seem to come up right out of the ground. I had more experience with them at Williamsport than at any other place. The mules were picketed out by the side of a barn daytimes and at noon were fed with corn on the cob. I would carry out a bucket full and put it in the manger before one pair. Not a hog would be in sight. I would then return to the boat and fill the bucket for the other pair and by the time I got back there would be a hog standing on his hind legs with one fore foot in the manger eating the corn while the mules stood back and looked on. When I came up the hog would turn his head and with a kind of merry twinkle in his eye look at me as much as to say, " What are you going to do about it? " Of course I would drop the bucket and give a jump for him, then with a grab for the corn, getting at least two ears in his mouth away he would run and I after him. He would take an easy gallop with first one eye then the other looking over his shoulder keeping about a rod ahead of me whatever speed I ran, circling about until he stumbled over something and dropped his corn which I would pick up and bring back in triumph while the hog turned around and trotted along behind me. My triumph would be of short duration for another hog by this time would have arrived and would be interviewing the bucket I had left behind. . . . As long as I remained they kept busy, rooting around, turning over stick and stones, but always had an eye on me and [were] ever ready to make a forage if opportunity should occur until the mules had eaten the last grain of corn. Then they disappeared as suddenly as they appeared. . . . Hogs soon learn when and where they are liable to find food. At Piedmont, Va., the village hogs, a drove of perhaps forty or fifty, spent most of their time feeding on the side of the mountain, but when they heard the whistle of the freight trains they would come scampering down to the station, where they would follow from car to car the man who greased the axles. They would put one foot on the frame of the truck raise the box cover with the gristle of their nose and scoop out the grease with their under lip. After a dozen hogs with different sized and shaped lips had been through a box there was little grease left. You could not drive them away; if you tried, they would run under the car and by the time you had crawled over they would have the boxes cleaned out on the other side and were coming back under the car again. After they had extracted the grease to their satisfaction they would go to sleep under the cars and when the cars started which they always did with a jerk there would be rather a startling appearance of a drove of hogs coming out among the wheels. Occasionally one lost a leg and went hopping around on three feet the rest of his life.

When I came up the canal in February they were at work making repairs. At one place there was an old man with wheelbarrow and shovel digging out a sand-bar formed by a little rill that ran into the canal. As I came near him I saw something moving on the outside slope of the tow path and a step or two brought me in full view of a good-sized pig rolling a tin pail over and over but had not succeeded in getting the cover off as it was tied on with a handkerchief. The old man, perfectly unconcerned, was busy with his work. " Look here, old fellow " said I, " you will lose your dinner." He straightened up and looked at with surprise and said, " Why? " " There is a hog— " He dropped his shovel and exclaimed, " O, my Lord! " sprang across the bottom of the canal and scrambled up the bank on to the tow-path without stopping to hear any more. The pig heard him and stopped rooting to see what was coming. As soon as the head of the old man appeared above the bank, the pig gave a grab, caught the pail by the bail in his mouth, and was off like a flash with the old man after him. It was one of the most exciting races I ever saw. The ground was nearly level about three rods wide between the canal and driver and six or seven feet below the tow path where I stood, and was filled with small clumps of bushes with clear spaces around them. The hog kept about six feet ahead, with one eye on his pursuer. On they went first around this bush and then around that circling this way and then the other according to the way the pig's eye was turned, cutting regular figures of eight and not getting more than two rods from the starting point. The old man was bent nearly double to grab him, his gray hair flowing out behind; every time he overhauled him the pig would make a tack around a bush and go galloping off in another direction, so it went round and round, back and forth, until the pig stubbed his toe over a rock and dropped the pail, then the old man came puffing up the bank and thanked me over and over again for he said, " that pig would have had the pail open in another minute and I should have had to work all day without any dinner, for I am three miles from home." As it was all that saved it was the handkerchief tied on the cover.

There is an amusing side but sometimes it has a more serious aspect as one has experience with the hog. A boy about a dozen years old in Washington concluded that he could have some amusement at the expense of a good sized hog that acted as scavenger on C street. He provided himself with a pocket full of corn which he dropped grain by grain along the gutter thereby getting the confidence of the porker. When he got the hog opposite a carriage stone he would with the dexterity of a cow-boy vault on to the animal's back, grasping him by both ears. Away they would go the hog taking tremendous strides at the same time squealing at the top of his voice, up C Street into Seventh out of sight the boy clinging for all he was worth, going, how far I never knew but could hear squeal after squeal until they died out in the distance. The last time I saw the performance the boy was the one that suffered for the hog did not take more than two leaps before he made a short turn t[h]rowing the boy with great force against a stone that bridged the gutter. The boy took up the cry where the hog left off, picked himself up and went home holding on to his side. The hog crossed the street and was immediately absorbed in a mute study of a cabbage leaf. The other incident was at Wheeling where I ventured too near a hog with a litter of pigs.

This ended in a foot race where I came in only one length ahead. I would have been glad to have been two or three lengths ahead for it is not a pleasant sensation to feel that an enraged hog is only six feet behind you with every bristle standing on end, his mouth wide open with two long tuskes [*sic*] ready to gnash you and his face covered with foam and froth and at every leap is giving one of his peculiar puffs of sound which is neither a grunt or a growl.

The Williamsport vacation came at last to an end and we geared up our mules and were off down the canal again. While waiting at Williamsport the Capt. had made an awning of cotton cloth covering the steering deck and Cabin. It was high enough to clear the pilot's head and gave plenty of room to sit under on the cabin roof. It was kept in place by cleats screwed to the sides of the boat and did not have to be lowered for any of the bridges on the down trip and only occasionally on the return. This awning made the boat very comfortable through the long hot days that followed.

There were four or more species of turtles along the canal: the common spotted turtle, three or four inches long with bright red and yellow spots. The painted turtle, an inch or so larger with red blotches on its head and feet and a stripe around each scale of its shell; a black turtle, and the snapping turtle. The three first were very common, floating on the water or sunning themselves on the banks of the canal. The snapping turtle was not easily distinguished from the black at a distance on the water but at a near view the big head, thicker hump backed shell and pugnacious disposition was easily recognized. The snapper is the game fish of the turtle kind. The black turtle is some [times] eaten but the spotted and painted ones never except perhaps sometimes by the blacks. Capt. Coss had from time to time given me lively descriptions of turtle hunting and of the big old snappers to be found in the river and told me of the turtle harpoon he had at home. I never expected to see the harpoon or a turtle caught with it, but just before we left Williamsport he brought it out and had the blacksmith sharpen it and took it back with us down the canal. The harpoon was made by putting a pointed socket on the end of a strong hickory stick and a steel hook on the other the whole being four or five feet long. The pointed end was used to probe in the mud holes along the bank of the river and at the mouth of the creeks. We could tell by the feeling what he struck; if it was mud or sand it went in easy; if it hit a log it would stick, on a stone it would jingle but if it hit a turtle's back it gave a dull thud and rebounded like rubber. A day or two after we started the Capt. remarked that he thought it might be a good day for turtles and jumped ashore with his harpoon and followed along down by the river bank. Pic. was at the helm, Tommy was driving, little Pic was on his back asleep in the sun, and I was sitting on the cabin looking back along the tow-path wondering what success the Capt. was having. All at once he appeared about a quarter of a mile back with some black object in his hand hollooing like a loon. We ran the boat ashore to wait for the Capt. but soon found that he was calling for Pic to come back and help. At almost the first hole, the Capt. struck a thirty five pound turtle and hauled him out with the hook on the harpoon and brought him up on the tow-path, but he was a slippery fellow to carry so Pic. went back to help him. Pic grasped the turtle by the tail and held him at nearly arm's length, for he was in mortal fear of the turtle's jaws, which kept snapping like a steel trap, never letting the head which kept twisting around get within two feet of his legs. We had to laugh at poor Pic. who was straining every muscle to keep his balance with this heavy weight at the end of his arm keeping the turtle twice as far from him as there was any need of. " By golly, boss, if dat durned hummock back cotch hold of me wid them grappling irons I would be just spontaneously annihilated!"

Pic. was not far from right for I have seen a snapping turtle grasp on to a steel shovel blade with sufficient force to be lifted from the ground, and they will often hang on to a stick and be drawn on their backs for rods. We put the turtle in the bottom of a flour barrel which was just large enough to hold him but he could not run his head out only by raising himself on his tail. We kept him several days and then dressed him having meat enough to fill a common water pail full. We parboiled the legs and then fried them making a meal that I long remembered, but whether it was my good appetite or the change from ham or the extra good flavor of the turtle I do not know but presume it was part of each. The rest of the meat was given to Pic who took it home and had a feast with his family. To illustrate with what tenacity the turtle sticks to life I will describe the Capt. experience in dressing it. He cut the head off the night before, then the next day cut off the under shell and took out the heart, liver and intestines, then began cutting out the flesh while I held the shell steady on the deck. He had cut out the two fore legs and one hind leg leaving the last hind leg and tail. When he began to cut this the turtle drew back and kicked with sufficient force to draw blood on the Capt.'s hand.

As we sailed along one hot afternoon we turned from the river and came face to face with a mountain and soon found ourselves at the mouth of the tunnel. The Capt. blew the horn and as the tunnel was clear we entered. The canal through the mountain narrowed to a single track but a few inches wider than the boat with vertical walls on each side. A shelf on one of the walls about four feet wide formed the tow-path and the whole was arched over with brick giving plently of head room above. The space was so narrow that the boat required no steering so we all sat around the edge of the cabin and listened to the sharp clicking of the mules feet and the crack of the tow boys whip, which echoed and re-echoed through the long walled room. We could see a point of light dimly in the distance[;] this was the far end of the tunnel which grew larger and brighter as we sailed slowly, very slowly along, while the end we entered grew smaller and smaller. Around us was a dusky twilight and the mules were the outline of a deep dark shadow. In spots the dampness oozed through the walls and occasionally small gray stalactites hung from the arch above formed from the lime in the cement. We were nearly an hour sailing through, although it was only about three fourths of a mile long, for it is so narrow that the boat fitted it like a loose piston that crowded the water up into a wall in front of us, making hard pulling for the mules. So there was no room for boats to pass each other those that were coming in the opposite direction had to wait at the entrance until we came out and if there had been a half dozen boats following us, as they sometimes do, so near together that each could get into the tunnel before the one in front got out it would cause a long delay, but the great essential of a boatman's life is patience[;] time is of little account to him, as it was there were none to follow and we met no boat for a considerable distance below. The air was clear and of a grateful coolness in the tunnel, but the gloomy light and hollow sepulchral sound of our voices gave us a feeling of loneliness and we were glad to leave the dreary cave and come out again into the sunlight where the world is full of life and activity, not but what the tunnel had life for on the walls grew green moss, diatom and fungus made their homes in the cavities, bats fluttered here and there, while the water below was teeming with multitudes of living things, but this was not the life like that of the birds, insects, and flowers, the life of the sunshine and fields. Coming out, we passed through a deep cut, rounded a short curve and was soon hugging the river bank again.

In contrast to the tunnel there was a short reach of slackwater navigation where we were locked down out of the canal into the river which formed a bay or eddy extending up to the steep side of the mountain along the foot of which a path had been cut for the mules. The boat kept some distance from the shore making a pleasant change from the narrow canal although they sometimes have trouble in a heavy wind especially with a light boat that rides high on the water as they have no keel or center board to keep them from drifting. At the end of the reach we were locked into the canal again for there must be a lock to and from the river for the water in the canal must always be the same height while that of the river changes everyday. The height of the water in the canal is maintained by sluice gates and short canals from the river or stream that will bring it from a higher level. There are also overflows or [weirs] along the bank every mile or two to let out the surplus water, which in case of an accident to a lock or a heavy shower, or a long storm, might be sufficient to cause a break in the bank.

There were a dozen or more dams across the river between Georgetown and Cumberland for furnishing water for the canal. Some of these had names and others went by number. A few of these were well built, but most of them were very rude structures made by building square cribs of timber, cob house fashion, and filling them with boulders from the river bed. The intervening spaces were closed by stretching timber from crib to crib and sheathing them with plank. Each year some of the cribs would get undermined or tipped over by the spring freshet, and a section of the canal would be dry until they were repaired. The dam at Little Falls furnished water by which extensive flour mills were run in Georgetown, this section of the canal being kept full the year round. At Great

Falls the Government owned the dam it being the source of the water supply for the city of Washington, and they have spent nearly half a million dollars on a new one since. At Harper's Ferry the U. S. Armory and the canal were joint owners of a stone dam and a new one was in process of building just below it. This was stopped by the war and I think never finished.

Of the birds I saw on my summer trip I have no distinct remembrance as at this season the birds were raising their young and did not make themselves conspicuous. In the winter I saw a great many—I should say thousands of Whistler ducks which flew up in great flocks at every bend of the river between Georgetown and Point of Rocks. They are a wild bird and have sharp eyes, and my appearance on the tow path was sufficient to send them off long before I was in gun shot of them. I also at the same time saw a number of bright red birds, probably grossbeak, in the thickets beside the river and were particularly noticeable among the leafless branches.

When we sailed after dark we lighted a square lantern and hung it on the bow of the boat for a head light which lighted the canal for a considerable distance and gave warning to those coming in the opposite direction. One damp night not far below the tunnel we ran into a perfect storm of May flies, or shad flies as they are called along the Connecticut River. They are a class of insects called ephemera which means an insect that lives but a day. They were a soft insect, with gauze-like wings that spread about one and one half inches and came up out of the water in countless numbers crawling over everything and sticking wherever they touched. So many crawled through a small hole broken in the corner of the lantern that they were three inches deep in the bottom. For miles the next day the surface of the canal was covered with th pupa skins out of which the insects came. You would get hundreds by dipping a pail of water. It is supposed that they live during the larva or grub state in the water for one [year] at least and probably for several years, and when they have arrived at maturity they seem as by appointment to all rise to the top and at almost the same moment burst their pupa skins and fly away in the world of air where they mate, lay their eggs and die. Some species seem to live only a day or two, others may live for a week or more. . . . These insects are seen more or less every season, but only in such prodigious quantities at rare intervals.

One of the great pleasures of canal boat travel is [that] you never feel hurried. If you want to stop and fish, hunt, sketch, botanize or geologize, all you have to do is to step ashore and stop as long as you wish and a brisk walk will bring you to the boat again probably at the next lock. Near Antietam I went over to the old ironworks but saw little to interest me. It was near this place that the calico rock, so called, is found. It is a formation of stone broken an inch or so square, blue and red, cemented together with some white material making a peculiar check of the crazy patchwork pattern. Opposite Harper's Ferry I waded out to a small island and made a rude sketch of the notch through the Blue Ridge Mountains and as this was only a few weeks before the John Brown raid, probably some of the villagers who saw me there afterwards associated me with him, and to this day tell their children and grandchildren how they saw one of the raiders sketch the town.

We were now nearing the Blue Ridge Mountains and the celebrated Harper's Ferry notch and as we entered it, the mountain on the north called Bolivar Heights crowded more and more on the canal until it had to be built in the edge of the river. Opposite this mountain is the town of Harper's Ferry, built on two slopes of a very steep hill one house rising above the other in terraces. At the foot on one slope at the side of the Potomoc River were the U. S. Arsenal and gun shops, the other slope ran down to the banks of the Shenandoah river which came rattling in from the south through a narrow valley at the foot of the western slope of the Blue Ridge Mountains. After we round Bolivar Heights and just before we get opposite the Shenandoah the mountains fall back a little giving room for the highway and railroad which crossed the river together on the old wooden bridge to Harper's Ferry and for the few houses that formed the hamlet of Bolivar.

The young men of Harper's Ferry use[d] to amuse themselves by gathering at the bridge evenings and waylay such darkeys as were caught out after 9 o'clock without a pass and as they called it "wallop them." It might be funny for the boys, but it was not so funny for the victims as they dared not complain. It was also across the bridge that John Brown, whose soul goes marching on, marched his little army. This bridge was destroyed the next year by the rebels. As I now recall it the mountains on the Virginia side from the mouth of the Shennandoah to the Point of Rocks, twelve miles below, rose direct from the water steep, black, half wooded, from one to two thousand feet high, a wild uninhabited wilderness. On the Maryland side the mountains were divided into ridges leaving openings between in some of which were small hamlets, as at Weaverton, where the water power had been developed and a large pile cutting establishment built only to be deserted and fall into the river.

Knoxville was in another valley through which a branch railroad has been built since the war finding its way out through some notch to Hagerstown on the west. It is a wild, picturesque ride from the Ferry to the Point of Rocks. Dark mountains on either side crowd the river which rolls and tumbles over its rocky bed. Here and there the mountains interlock and seemingly form a barrier against further progress, then as we round some point the vista opens again only to close and open again. Point of Rocks is at the east gate of the Harper's Ferry notch. On the north shore the river washes the foot of a near-by perpendicular cliff several hundred feet high. On the top of this cliff was a boulder from which the place took its name. At the foot of this cliff they first built a carriage road, then came the canal which cut partially into the mountain and partially filled in the river sharing the tow path with the highway and last the railroad which had to cut still further in and wall up the slope of the canal to get through. This place was the end of my winter journey although I had intended to continue my walk through the notch to

Harper's Ferry, but forty-eight miles in two days with a thin film of clay mud on the road that would pile up on my boots until they were very heavy was sufficient exercise for one time. To pass the time the next forenoon while waiting for the train I climbed up to the big boulder. It was eight or ten feet high and as large in its other dimensions and so nearly poised on the slope that a wall of masonry had been built on its lower side to prevent it from accidentally rolling off on to the road or canal below. One night during the rebellion some persons dug out the props and set the stone rolling over the bank where it went thundering down, just passing the railroad, which it was intended to destroy, into the canal but by good luck it fell near the edge on the vern side where it now stands with the top two or three feet out of water covering a space half as large as a freight car but not interfering with the passage of boats.

The village itself consisted of half a dozen whitewashed cabins and two hotels one on each side of the tracks; from each when the trains arrived came a stalwart negro with bells as big as two quart jugs which they rang lustily while the train stopped, but there were no passengers to reward them for their labor. The night I stopped there they had a grand ball in the warehouse as the building was called that served for the freight house. Point of Rocks was noted as a hard place, and one of the guests at breakfast was bragging that the ball had redeemed the name of the place, as there had been no fights, or at least only one or two misunderstandings, during the whole evening.

A short distanct below Point of Rocks we came to a little glade where standing some twenty rods back was a small cabin fifteen or eighteen feet square where the Captain said there were at least half a dozen children all of a size, so we kept watch and they came out one by one to see the boat until we counted thirteen. Twelve did not vary three inches in height and were dressed in a single garment, a cotton nightgown which once might have been white, the other was a boy a few inches taller and wore pants, with them were two women. As they were all colored we concluded that it was the young stock department of some plantation and they would have made a very artistic group for an amateur photographer or painter.

Before the Rail Roads small packet boats ran on the canal in opposition to the stagecoach and would make nearly as good time where there were not to [*sic*] many locks. One of these boats had survived the changes of time and was used for excursions. We met the boat with a private party going up the canal between Harper's Ferry and Washington, sailing at the rate of four or five miles an hour. What attracted our attention the most was one of the party who stood on the roof over the cabin with a dip net on a long pole with which he was scooping up the floating turtles and dropping them into a barrel. Undoubtedly they had turtle soup for dinner.

Seneca Locks are about twenty-four miles from Georgetown and not far from Ball's Bluff and Edward's Ferry where one of the battles of the rebellion was fought. On my foot journey in the winter I stopped over night here at a canal hotel. I was told at a lockkeeper's below that I would find a hotel here so I walked the plank over the lock and went across a field to what I found to be a plantation residence. My idea of a plantation was taken from novels and was rather highly colored. The " beautiful green lawn " of my mental picture was without a tree for shade and had been plowed and replowed by a drove of razor backed hogs. The veranda floor was frescoed with the tracks of a generation of clay covered brogans and the surroundings were directly opposite to my impressions of Southern life. I was directed by a white boy to a smaller house which he said was the hotel.

I climbed a seven rail fence and crossed a creek on a round log and applied at the " office " for food and shelter and received a favorable answer. The " office " was in a small wing of the house and its furniture consisted of a four-legged bench with the top made of a slab, a chair without any back, another with a dilapidated seat and a sizable box stove with a cracked lid and a broken hearth. A niche was fenced off on one side with a lattice work of lathes behind which the landlord immediately went and opened a small gate and beamed on me, but as I did not respond he soon closed it and went his way about his chores. I was furnished a very good supper of fried ham, small river fish cooked in Southern style with head tail and fins on, eating with the family. . . . The cooking was done somewhere in the rear of the house and we were waited on by a small colored girl whose head was a perfect ball of knotted wool. After supper we heard the click of horse hoofs and one of the young country gentleman who said he had been to town that day came in to tell the news. Just below the locks lying on the bottom of the dry canal was a stranded boat. The owner had been caught here when navigation closed and as his boat was his home this was as good a place as any to spend the winter. The boatman had also heard the click of the horses hoofs and arrived nearly as soon as the country gentleman whom we will call Chivalry. The little gate in the lattice work was again opened and this time for a purpose for Chivalry immediately ordered his favorite drink concocted and the boatman did not wait for a second invitation to help and had his whiskey straight. Then Chivalry invited the stranger to join and have a smile. I very politely declined. This Chivalry took as an insult to the blue blood of Maryland and demanded to know if I refused to drink with him. I humbly begged his pardon stating that I would drink with him as soon as with anyone but I did not drink at all. " Aw, you are a tee-to-tee-lar then, I presume[.] If I had been a teetoteelar when I was a young man I might by this time have been the president of the Sons of Temperance." I assured him that there was no doubt about that. In a short time Chivalry and the Boatman took possession of the bench both astride with a pack of greasy cards between them. Standing on his knees at one end of the bench was the older boy, and at the other end in the same position was the younger boy. They were getting their education. The landlord stood by making frequent trips to and from the bar. This was their position when I left them for the triple bedded room over the dining room. When I came down the next morning Chivalry was just mounting his horse while the Boatman and Landlord were talking over their night's work. Chivalry, Boatman, Landlord and boys had kept their respective places until daylight. The Boatman was five dollars richer and would have been seven if one of the boys had not said something. The Landlord had done a thriving trade, and the boys—well, they had not missed any of the tricks of the game.

Great Falls are about fourteen miles from Georgetown and are the source of the water supply of the city of Washington.[23] The Government has spent large sums of money in building the dam and aqueduct. For the first few miles below the aqueduct is a wonderful piece of engineering it being built in the face of a rocky cliff and in some places it is a combination of tunnel and bridge one commencing where the other leaves off. The Cabin John bridge, 220 feet long and 90 feet rise, the longest single arch in the world, is one of the wonders of this aqueduct.[24] This part of the work had been completed the summer before and a great number of small storehouses which were radiant with whitewash gave the appearance of a small village but there was but one house besides the lockkeeper's. This house was a hotel supported principally by fishermen from the capital. I took my dinner here on my winter trip and particularly remember the yawning fireplace. Here Senators, Diplomats, Judges, Secretaries, and notable men of every degree have, for the last seventy-five years, sat before the big log fire to dry their boots and tell stories of their day's sport.

And I remember the ringing of the big bell—large enough for a small factory—that called me to the leg of cold ham and the slices of white bread that formed my dinner. I had to do my own carving. I asked the landlord what town this was. He said " this aint no town, them's government shanties, the town is three miles off." I realized that *town* had a different meaning in different places. Here it meant a collection of houses, and all land outside of the houses was county; with me it was the land that formed the town with or without houses. I began to feel that I was three miles from anywhere. Little Falls is about four miles above Georgetown at the head of the last level which continues across the Potomoc River to Alexandria, Va. It also furnishes the power to the flouring mills at Georgetown the water being taken from the canal. These falls are a wild rapids but as their name indicates are not so large as the one above. They are also at the end of the steep bluff, the country below being more rolling and coming to the river with a gentle incline. Not far below the falls is the old chain bridge over which so many gallant soldiers marched to fight the battles of the rebellion never to return. Not far from this bridge we ran aground on a sand bar that had been washed into the canal by a little brook. Pic. and myself went overboard and sounded with our feet and found the position of the bar then by twisting the boat back and forth and with some hard pushing got it off and was on our way again.

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[23] " The canal at Great Falls was about 6 feet deep and 25 feet wide and had 5 locks measuring 12 by 100 feet." It is now a narrow ditch running the length of the Great Falls Park. Part of the distance it is grass-grown; part of the distance it is a waterway. (*Washington, City and Capital*, Federal Writers Project, WPA [1937], p. 819).

[24] Court records indicate that Cabin John Creek was named before 1750 for " a mysterious hermit who lived in a log cabin near the spot. In one legend he is an Indian; in another, the more generally accepted version, he is a pirate with a plentiful supply of stolen riches. So seriouly was the latter story taken that until recent years purchasers of land in the neighborhood were required to sign an agreement to surrender half of any buried treasure found on the property " (*Washington, City and Capital*, p. 810).

At Georgetown the canal crossed the Potomoc on a long wooden bridge or aqueduct built similar to a carriage bridge but instead of a roadway it had to support a box filled with water through which the boat sailed.[25] This required that the sides should be braced and made sufficiently strong to keep the water from pressing them out. At the very top was a narrow tow path and rail to keep the mules and driver from falling into the river below. After the river is crossed, the canal runs through a nearly level country some distance from the river but makes many a turn and crook before it reaches Alexandria a distance of about twelve miles. We arrived at Alexandria towards evening and ran into a spacious bason [*sic*] where several boats were waiting to unload. The town is not very interesting, as many of the buildings which showed signs of past respectability were going into decay, the stores were closed, the grass grew in the streets and very few inhabitants were in sight. In summer there was a little businss, loading coal from the canal boats into schooners which either came empty or had carried a load of ice or lumber to Washington. In the evening I was much amused at a young darkey dancing on a neighboring boat, he kicked up his heels, cut pigeon wings and went through breakdowns and into contortions that would have astonished a professional. The Capt. reported the next morning that the boat would be unloaded that day and that it would take several hours, as they were unloaded by longshoremen into buckets and hoisted on board the ships by horses. So I took the day off and spent the day in Washington meeting the boat at Georgetown towards evening and started on our home voyage. At this time the Government paid all their bills in gold and while I was in Washington a department store clerk received five twenty dollar gold pieces for his month's pay which he slipped into his vest pocket and while crossing the ferry to his home in Alexandria [he] looked over the rail at something in the water and at that moment heard a splash and saw to his sorrow his five eagles fast flying to the bottom of the river.

East of the Blue Ridge the country is more level and better adapted for plantations than west of the mountains and being farther from the free state line of Penn. the slave population was much larger but as there is [*sic*] very few houses near the river we saw little of it. One evening as we sailed along up through this part of the country Capt. Coss remarked that we must be on the lookout for Montgomery County merchants. "What is a Montgomery County merchant?" say I. "If you hear a whistle or any peculiar sound stop the boat and run it over to the vern side and you will see," says the Capt. "but don't ask too many questions." We kept our ears open but heard not a sound; either the merchants were not abroad or they did not like the looks of us as customers. A day or two after the Capt. made an explanation. It seemed that the colored people occasionally felt the want of a little money to spend and were not long in finding some commodity for which the boatmen were willing to exchange it. Our Capt. did not encourage stealing by any means but if the white eyes of one of these M. Co. merchants were seen glistening through the shadows of the trees loaded down with a bag of corn or oats a few dozen of eggs or a ham or even a pig tied by one leg, he would not pass him by but would stop and take pity on him and not even ask him if he was free or a slave. If he considered the question at all in a moral point of view he would come to the same conclusion that many a one has come to before that the one that worked and raised an article ought to own at least a share in it and probably the fellow was not getting more than his share. One night as Capt. Coss was coming up the canal he heard a whistle and stopped the boat. After a while an ancient colored man put in his appearance and after considerable parleying on both sides and when the merchant was satisfied that everything was safe he led out a one hundred and fifty pound pig which he offered at a very reasonable price—in fact, a very extremely reasonable price. The offer was accepted and the money paid while the pig stood calmly by giving grunts of satisfaction. But when they came to put him on board he made decided objection and the merchant had to throw him on his back and carry him, the pig squealing as only a pig can squeal. The Capt. asked him if he was not afraid they would hear him up at the house. ["]Oh, no, massa. There is not a living person within two miles of here.["] The pig was dropped in the hold, the darkey disappeared in the darkness and when the sun rose the boat with its living freight was twenty miles away. The darkey ran but little risk in the business for neither the slaves or the poor whites had any interest in stopping it and if he was caught his master might whip him, take away some of his liberties or change his work. The amount of punishment would depend on the master and somewhat on the slave and the chance he might take in running away. The only disgrace the darkey would feel would be that of the lack of success in his commercial undertaking. With the white man it was very different. There was nothing that was considered so mean by the slave holders as to purchase anything from a slave, and the law took the same view, for the judges were all slave holders consequently there was more or less friction between them and the poor whites. Along the canal in the season it was open the poor whites would hold up their hands in innocence laying every case of disappearance of personal property to the boatman and perhaps with good reason for there were some, in fact to [*sic*] many, whose perception of the right of property was very dim. It is a common saying that certain persons would not steal anything they could not carry off but this did not hold good with the canal boatmen for they would steal anything they could hitch a mule to. A person on the canal has to use as much care about his personal property as he would in the Italian quarter of a city. Every bit of rope has to be brought in at night and put out of sight and it was always deemed best to picket the mules on the vern side when left out at night for fear they might steal their halters and let them loose. A boat left for any length of time without an occupant would be stripped of every loose article about it and when they are gone they will begin to tear off the iron work. Capt. Coss had a boat stored at Williamsport. He had taken off everything he supposed to be movable and locked them up but when he arrived there great was his surprise to find that somebody had stolen the sheet iron chimney. This is not the place to record the remarks he made as he gave his opinion of boatmen in general and of the one that stole the chimney in particular. . . .

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[25] When the Chesapeake and Ohio Canal was being discussed, Georgetown, Alexandria, and Washington could not agree on its location. Georgetown saw no reason why it should extend farther than Rock Creek. Washington, having a system of municipal canals designed by L'Enfant, wanted the Chesapeake and Ohio Canal to connect with their system. " In Alexandria the citizens turned up their noses at the possibility of using the broad Potomoc itself, and eventually organized a separate canal company which threw a viaduct across the river at Georgetown, and brought the canal down the Virginia side to Alexandria."

The feeder canals below Georgetown were soon abandoned, for in the early days the trade was not great enough to support them (Frederic Gutheim, *The Potomoc*, *Rivers of American Series* [Rinehart, 1949], p. 261).

At one place we were what might be called blockaded. We were going up and had run the boat into the lock. The keeper shut one of the gates but the other would close only part way leaving an open space a few inches wide between the two. After making several attempts to close it the keeper opened the sluice gates above thinking that the water might force them together but it did not and the space was so wide that after the water had raised a short distance it ran out as fast as it came in, besides the gates not being supported were being dangerously sprung out of place. So the sluices were closed and the water ran out of the lock again while all hands stood round in a quandary what to do next. I volunteered to dive down to see what was the matter. They made no objection or gave any encouragement to the suggestion. I went back a little ways under a bridge and took off my clothes, for the lock was right in front of the lockkeeper's house and some women sat in the window, then with a run and a flying leap [I] dove to the bottom of the canal where I found a piece of water-soaked timber against the sill. At about the third dive I succeeded in getting the block of timber out. I then crawled up the bank put on my clothes and was ready to join the boat as it sailed out of the lock no worse for my bath.

A little incident happened to our homeward voige [*sic*] that solved what had been to me a mystery in natural history. Years before and a thousand miles from the place I had found under a pile of boards a peculiar nest of some insect. It was in the shape of a tiny barrel three eighths of an inch in diameter and one inch long. The outside was formed by rolling up leaves and the inside was packed full of circular disks also cut from leaves and the end of the nest was neatly finished by rolling the outside over the edge of the disks. I took this nest apart piece by piece and wondered what insect would have made it, for each piece was as clean cut as if made by a tailor.

We were in the lock slowly rising up between the walls when a small green bee flew past me and alighted on one of the stones, ran a few steps and disappeared in a crevice. It carried one of those green disks in its mouth. It was but a moment in view but that was sufficient to finish the story of the nest and tell me what was the builder. I have since found that this is the insect that cuts the round holes so often seen in the leaves of the rose bush.

When we left Williamsport on our return we took as a passenger a young man from up in the mountains beyond Cumberland who had been at work harvesting and as the season here is several weeks earlier than at his home he had taken the chance to earn a little money and see some of the world besides. Among the money he had received was a five dollar gold piece that seemed to interest him very much and he showed it to me with the remark "that was the kind of money to have." As I had two ten dollar gold pieces in my pocket I was sorely tempted to draw them forth with the remark that I thought these were the better kind, but I resisted the temptation and suggested the propriety of not showing his money around the canal. Gold was nearly as common as bills in this part of the country as the old state banks were not very reliable.

From time to time Capt. Coss gave me items about the canal which with those collected from other sources I have compiled the following account: The early settlers, here as elsewhere, followed the lines of the waterways and as there were no roads except mule paths the river was used to transport their produce to market and bring their supplies home. Light flat boats were first used propelled by poles in the level stretches but they had to carry their goods around the falls and rapids. A canal was proposed as early as 1784 and various surveys made. A few years later a company was formed and several thousand dollars spent in locks and dams to improve the river. In 1823 the Government engineers made a careful survey for a canal from Georgetown to Pittsburg[h], Pa. making an estimate, which included a tunnel four miles long through the Allegheny Mountains, the cost of which seemed almost fabulous in those days. The Potomoc River rises far up on the eastern slope of the Allegheny Mountains, while on the western slope nearly opposite its headwaters is the Youghiogheny a branch of the Monogohela which empties its water into the Ohio at Pittsburgh making nearly a complete chain of waterways. But the lowest notch on the mountain was 2000 feet above tide water requiring some 200 locks to get up and 150 or more to get down the western slope to the Ohio. But then there were the faster growing states and the fertile prairies beyond the mountains to be connected with the seaboard. This was before the days of the Railroads. Various sizes of canals were proposed from one three feet deep to that of six the depth of the present canal. In building a canal a very important point is to have a supply of water for it is a very thirsty thing. It evaporates in the sun. It is continually being absorbed into the ground and it leaks at every culvert and aqueduct besides a lock full is used whenever a boat passes in or out of a level, and this water must be supplied to the highest level and if not furnished by natural streams it must be stored in reservoirs back in the mountains. The canal as now built was commenced in

1828 and cost over twelve million dollars to which has been added some three millions in repairs before the general work caused by the storms of May 31, 1889, which took nearly two years to repair and which will long be remembered by the terrible disaster at Johnstown, Pa. The distance from Georgetown to Cumberland is 186 miles and the height of rise is about 800 feet requiring some 80 locks.[26] The canal was built by a joint stock company in which several towns and I think the state took part.

The Railroad coming into use so soon after this part of the canal was built took away all need of extension, and for its coal trade only has it remained in existence until now. For slow heavy freight there is nothing equal to the canal but the Railroad can be built almost anywhere up hill or down regardless of water supply and at a far less cost and can be run so much faster that they have supplanted all the canals except in a very few particularly favored places. As this canal connects the soft coal mines of Maryland with tide water it furnishes return cargoes to the schooners that bring ice to Washington and at the same time served as a regulator of the price of transportation. At the time of the break in 1889 the price of coal went up several dollars on a ton along the line of the canal which had much to do to arouse the people to rebuild it.

Boating was a profitable business when they had a lucky season. If I remember rightly they had about one dollar a ton for transporting the coal when you used your own boat and somewhat less in the company's boats. With a good team two round trips could be made in each month from April to December and the expense was for the help, board, team, and seven dollars toll on each return trip. It was easy to figure a profit on this basis especially in the dull times and low prices that followed the panic of 1857, but the " ifs " were so many that the margin for profit was very small. Sometimes they had to wait for their load at Cumberland as you had to take your turn with the other boats, or there might be an accident at the mines or on their railroad as they might be filling a special order by rail and there is always the possibility of a strike. Then the delay at the other end of the canal was often longer for a storm or head wind sometimes prevents the arrival of any schooners sometimes for weeks. You might wait in Georgetown or Alexandria for a chance to unload while ,your neighbor made two round trips for one of the other lines. Still worse than these were the breaks and wash-outs on the canal that detained all the boats alike[;] these sometimes caused months' delay. Almost every year there was a break somewhere, part of one of the rude dams would go out, a local storm would gather and come rushing down undermining a culvert or sweeping away an aqueduct wrecking all the boats on that level. They could not be repaired in the same way as they repair a railroad by carrying around or trestling over but have to be built anew from the foundation up. That seemingly harmless animal the muskrat often causes thousands of dollars damage by boring their channels through the banks starting a leak that will sometimes make a break rods in width. On some canals they employ hunters and give bounties for all that are caught within a certain distance of it. In some season these breaks will follow one after the other until the whole season is used up and in the fall the boatmen will not have enough money to pay expenses. There was more or less freight to be carried besides the coal but as Washington was not a commercial city a larger share went to and from Baltimore. Sometimes the boatmen and warehouse men would pick up a boat of fruit or grain to be sold on speculation and after harvest there was considerable wheat and corn delivered to the mills at Georgetown but when all the local freight was divided among the three or four hundred boats it amounted to very little to each. At the end of the season the navigation is closed. It is desirable to keep the canal open as long as possible and not have the boats freeze in or the locks freeze up and burst. When freezing weather grows near a day is appointed giving a few weeks' notice when the canal will be drawn off, then there is a hurrying around with their last load and getting their boats home or in some place where they can lay [*sic*] in safety until spring. There would of course be a few who would be belated like the boatman of Seneca locks and find themselves stranded along the canal.

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[26] " There were 74 lift locks between Georgetown and Cumberland, each having the capacity to lift or lower a boat approximately 8 feet. Twenty-three of these are located on the restored Georgetown division. The locks measure 100 feet long, 15 feet wide, and about 16 feet deep." (*Chesapeake and Ohio Canal*, National Park Service.)

Sometimes on the more northern canals nature will close the canal before the appointed time catching hundreds of boats in transit. On the day appointed the [illegible word] gates are closed and the water drawn off from every canal except the one at Georgetown which supplies the mills and during the winter the canal is cleaned and the many needed repairs made. The next spring soon after the arrival of the bluebird the water is turned in and as the canal is free from ice the navigation is resumed.

We were near our journey's end and we overtook a boat on our line which we wished to pass and I was sent out to drive past the boat. It was one of the hottest days of the season. To the right of the canal was a steep sandy slope, to the left was the river and overhead the hottest kind of midday sun with hardly a breath of air stirring. We were soon alongside and their tow boy, a sleepy kind of a fellow who did not turn out far enough so one of our spread sticks that keep the traces in place caught his harness and turned the horse end for end. I stopped and let the boy get untangled and then started on only to catch the next stick which nearly threw his horse to the ground. I stopped again and this time he gave me room to pass. If he had not it would not have been the fault of the tow boy's captain who used the most forcible canal English to impress on him his duty to get out of my way.

There was a law of the road, the same on the canal as on the land, which had to be arranged to accomidate [*sic*] both the mules on the tow path and the boats on the water. When we met the boats passed to the right of each other the one at the tow path side having the right of way the other team stopping and let its tow line sink to the bottom of the canal while the moving boat and team passed over it. When both boats were going in the same direction the rear boat had the right of way and passed on the tow path side the front team turning out to give room for the other to pass between it and the bank. If the front team does not turn out and give them the track the other will pass on the outside and the tow line will sweep them into the canal. Sometimes when the bottom of the boat is rough or has projecting slivers the tow line has to be unhitched or is carried over the boat.

At last the journey was ended. We had passed the last lock sailed over the last level and were again back at the shipyard at Cumberland. Here I packed my things and bid the boat and its crew goodby, and returned to my friends.

When the trip was ended, the spell was broken and a feeling of unrest overtook me. I felt that I must be up and doing. Finding nothing for me at Cumberland I faithfully promised my friends not to go farther east than Baltimore, packed up my things and started. A single day at Baltimore was sufficient to send me on without inquiring for employment. Eastward by slow but by economic means I proceeded, stopping but once for work where I made at least thirty applications without result, until I reached my starting place in New Hampshire. Here after an absence of about eight months the wheels of industry were just beginning to move, and I was met at the door of my former place of employment with the cheerful salutation that there was a place waiting for me. The tide was turned and the spell was truly broken and I stopped drifting.

MOUNT AIR:

THE STORY OF AN EARLY MARYLAND ESTATE

By Martha Sprigg Poole

SUMMER days in Charles County, Maryland, are sometimes hot and humid. On such a day even a gentle in-shore breeze blowing across the water is a welcome relief. Perhaps such a pleasant experience came to Luke Francis Matthews one day as he returned from his tobacco fields to his home on an elevation above the Potomac River where Port Tobacco Creek makes into its broad waters. If so, *Mount Air* would have seemed to him a very appropriate name for the land which his more prosaic ancestors had called *Cockshott*,[1] *The Addition* and *Matthews Purchase.*

Luke Francis Matthews was born in 1772, the son of Jesse Matthews and his wife, Margaret Pye. Jesse in his will, written November 27, 1774, and probated January 30, 1775, left to Luke Francis, his infant son and only child, his tracts *Cockshott* and *The Addition.* Jesse's widow, Margaret, married Joseph Simms and no doubt Luke Francis spent his boyhood in Simm's home. In 1789, when Luke was 16 years old, he chose Joseph Simms as his guardian, and the Charles County Court appointed appraisers to estimate the annual value of the orphan's land.[2] They found the following improvements:

1 dwelling house 28 x 18 weatherboarded with poplar plank and covered with cypress shingles; has a brick chimney with two fireplaces; also adjoining it a small piazza on one side and two small sheds at one end; altogether 7 small glass windows very much broken and out of repair

1 old clapboard dwelling house 16 ft square with a shed on one side and another at one end

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[1] Various spellings—Cockshutt, Cocksute, etc.

[2] Charles Co. Wills WF No. 1, f. 292; Al No. 10, f. 101; *ibid.* N4, f. 149. Simms or Semmes, both spellings used.

1 old kitchen 28 x 16 with an old and damaged brick chimney in the middle
1 good negro quarter 16 ft sq about 8 years old (logged)
3 old and sorry (?) logged
2 old clapboard ditto
1 tobacco house 32 x 22 tolerable good—with a shed on one side and a small prize ditto at one end
1 small granary or wheat house 12 ft sq
2 old logged houses the one 20 x 12, other 16 x 12
1 old clapboard meat house 12 ft sq
1 old clapboard milk house 5 ft sq
1 good pigeon house 8 ft sq
About 100 scattering fruit trees of peaches, cherries, pears and apples
300 panels of good fence
300 panels of old and sorry fence
Little timber on land
Annual rent of 3000 pounds of inspected crop tobacco
Sept. 29, 1789. G. B. Causin and Hoskins Hanson [3]

From this estimate it may be assumed that Negro slaves were living on the land, producing crops of tobacco and wheat. We can only wonder who had built the various buildings and why they had become run down. We may also wonder how prosperous was a lad who owned an estate worth the annual rent of 3000 pounds of crop tobacco, with its many " sorry " and " old " buildings.

In any case, by 1800 things were looking up for Luke Francis. He had married Rose Causine of a neighboring family and they had acquired a number of slaves.[4] Also, Luke Francis had purchased more land—*Matthews Purchase* [5] and *Warthen's Adventure.*[6] Thus when in April, 1801, Luke had his property resurveyed, it was found to contain 654 acres. No Patent was issued, probably because no vacant land was found. The tract was called *Mount Air.*[7]

With an estate, a wife and prosperity, Luke no doubt built a fine house where it stands today. From interior evidence, it is likely that the new house was added on to the little 16-foot square clapboard dwelling called " old " in 1789.

To reach *Mount Air*, now owned by Mr. and Mrs. J. Edward

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[3] Charles Co. Wills A1 No. 10, f. 435.
[4] Charles Co. Deeds IB No. 3, f. 197.
[5] *Ibid.*, IB No. 4, f. 104 and 110.
[6] *Ibid.*, K No. 4, f. 456.
[7] Original Survey, Land Office; Charles Co. No. 340. Unpatented. Warthen's Adventure was not included; said not to be contiguous.

Burroughs, Jr., one turns off Route 301 at sign " Mt Air Road " 6 miles south of La Plata soon after passing Bel Alton and follows along a winding drive for a mile and a half. As the visitor approaches the house from the land side, he sees ahead of him a modified " telescope " house of pleasing, though unorthodox proportions. The three-story section has two large chimneys on the left, and a one-story wing to the right. Beyond the chimneys to the left, and balancing the wing on the right, is a one-story structure with the steep pitched roof, chimney and general lines of a very ancient building. A newer utilitarian wing has been added farthest to the left.

The box-wood maze through which he passes is so fascinating that the visitor does not hurry up the rather steep steps of the portico through which he enters the house. The railing and posts with their ball ornaments seem older than the columns and pediment, which, no doubt, replace earlier ones which failed to withstand the ravages of centuries of salt air.

Once in the hall, its features are momentarily overlooked due to awe and admiration for the magnificent view of the Potomac River which meets the eye through the opposite door. The river is wide here, thanks to the waters of Port Tobacco Creek which joins the Potomac in front of the house. Immediately comes awareness that the house is on an elevation of perhaps a hundred feet above the river.

Turning from the exterior view to the interior, one notices the spaciousness of the twelve-foot wide hall. The stairs going up from the hall are of recent origin. The original stairs are said to have gone up from the land-side drawing room and to have been boxed in, uniquely fashioned to provide protection for modest maidens as they went up and down them.[8]

On the right of the hall is the library which is small enough to be friendly in atmosphere. The wall opposite the door has a fireplace with recessed shelves on either side, surmounted by semicircular arched wood trim. No elaborate carving is here, but the wood-work is elegant and well-proportioned.

The doors throughout the house claim attention. They are of a rich walnut of generous proportions, of the Cross and Bible design. The ancient rim locks carry a brass seal with letters W-R and the name James Carpenter, patentee.

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[8] Katherine Scarborough, *Homes of the Cavaliers* (N. Y. 1930), p. 54-59.

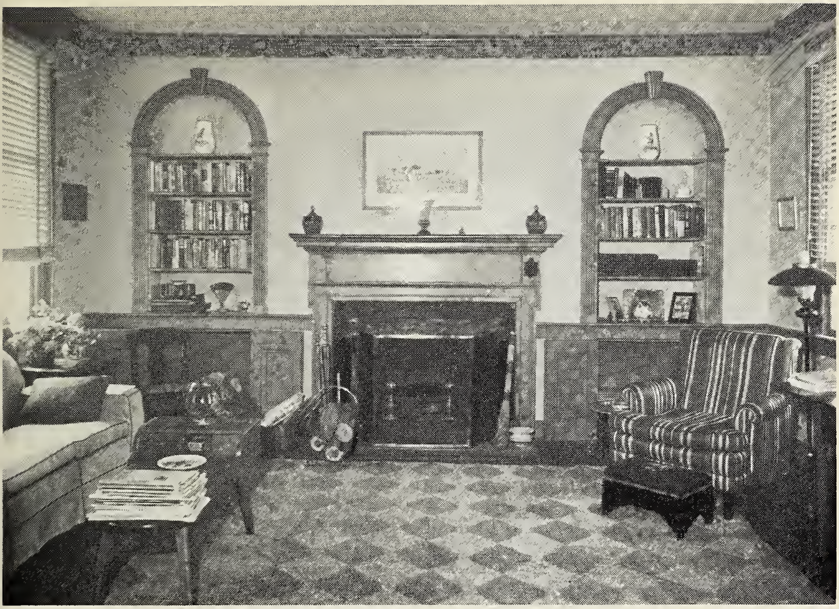
To the left of the hall are two drawing-rooms of equal size. Between them is a wide opening equipped with folding doors. Over the opening is a fan light leaded in an interesting pattern.

The mantels are interesting and unusual. The one in the river-side drawing-room has a delicately carved frieze in vertical design, using rope and bead motifs, which is topped by two horizontal moldings. Reeded pilasters are well proportioned. The mantel in the land-side drawing-room is similar in design but the carver showed originality by using different motifs. It, too, is unusual and beautiful.

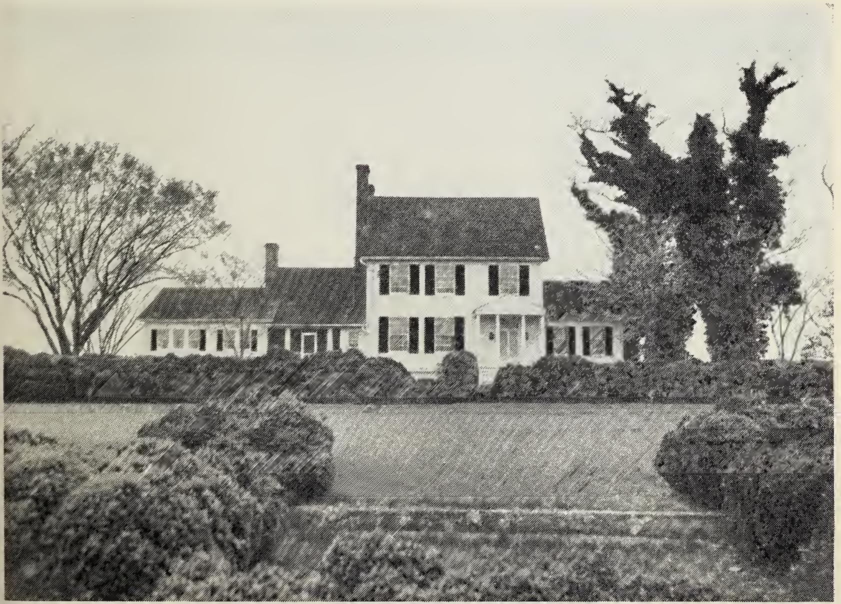
Entrance to the dining-room is through a door leading from the river-side drawing-room. This 16 x 16 room (no doubt an older structure) presented problems to the builder who wished to join on to it his new three-story building. The method he used was to build two huge chimneys (to serve the new part) right up against the old house, the space between the chimneys connecting the old and the new. He then put an arch over the connection, and on each side of the arch built in cupboards against the chimneys. The two original windows on the land side of this oldest part of the house have jib doors placed under them to give access to the porch. These jib doors, as well as all other doors in the older building, have H and L hinges of early design. The chimney of the old house provides a fire-place for the dining-room. Beside the chimney is the door into the modernized kitchen wing.

The three-story main building is of frame construction with brick-nogging filling all spaces between the sturdy framework. Wide-beaded clapboard siding covers all exterior walls. The windows are large, all four panes wide. Those on the first floor have twelve panes in the lower, and twelve panes in the upper sash, while those on the second floor have twelve lower, eight upper sash panes. Those on the third floor are the reverse of those on the second floor. The two-story gallery porches on the river side are of quite recent origin. The second story contains three bed-rooms opening from a hall, each with fire-place and mantel without shelf. The third floor has two bed-rooms.

One's imagination is aroused by the brick basement, divided into cells. These doubtless had many household functions, serving as storage space for wines, preserved foods, small tools and the like. The broad floor beams, all fully exposed, are most unusual, being adze hewn on one side and pit-sawed on the other.



Mount Air, Interior Room.



Mount Air, Exterior Contemporary View.

They have every appearance of having been cut from timber on the property.

The 16-foot square cell under the dining-room may have been the first floor of this ancient house. It has a huge fire-place with crane. The doors are made of 3-ply upright boards with enormous strap hinges and latches. This room was a bastion against possible Indian raids.

In one room is the base of a cistern into which rain water was diverted for household use.[9]

Regardless of when and by whom the present house on *Mount Air* or its predecessors were built, it is certain that the land comprising the *Mount Air* estate has a long history, going back to the very beginnings of the Colony. As stated above, when *Mount Air* was resurveyed for Luke Francis Matthews in 1801, it consisted of several tracts: *Cockshott, The Addition* and *Matthews Purchase.*

The history of *Cockshott* goes back to John Cockshott who transported himself, his wife, two daughters and four other persons into Maryland in 1641. The family settled at St. Inigoes in St. Michael's Hundred. John is said to have been a joiner, and he seems to have been prosperous, as shown by the assessment of the inhabitants of St. Michael's Hundred by the Assembly in 1642. By this, Henry Brook was assessed 115 pounds tobacco; next came " Mr. Cockshott " and John Hallowes 69 pounds each; five men were assessed 46 pounds each; and 36 men, 23 pounds tobacco each.[10]

John was present at the Assembly of March, 1641, and attended the session of September, 1642 by proxy.[11] A month later he died, leaving a widow, Jane, then aged 30, and daughters Mary aged 5 and Jane aged one year. The widow was made administrator and turned in an interesting inventory on October 28, 1642. John's dwelling house and plantation were valued at only 1800 pounds of tobacco, while his debts were listed as 2000 pounds, and a suit of clothes at 2000 pounds. The usual articles for household use were listed as were quantities of nails and tools, no doubt used at his trade. The unusual items include such things as:

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[9] The author is indebted to Mr. L. M. Leisenring, Fellow, American Institute of Architects, for checking the description of *Mount Air* mansion.

[10] Cert. AB and H, f. 59 and 61. *Arch. Md.,* I, 145; IV, 165.

[11] *Ibid.,* I, 116, 118.

A black suit and coat; a scarlet cap and p silk garters; a suit and cloak; a brown cloak; 13 p of Irish stockings; a black stuff cloak; 6 old hats and a cap; a black suit and leather doublet; a suit; a suit and cloak; a suit; a suit and coat. He also had 3 guns; an old rapier, a sword and a leather belt. On the cultural side were a book-rest; a parcel of English books; six framed pictures. Also a framed table; a turkie-work carpet, and an apple-roaster and a meat-heater. There was a field of corn, by estimate 30 barrels, and a maid-servant valued at 700 pounds tobacco.

This was a large estate for the time and place, in all 14,222 pounds of tobacco.[12]

By 1644, Jane Cockshott had become the wife of Nicholas Causine, a Frenchman who had settled in Maryland several years earlier. They had two sons, Ignatius and Nicholas.[13]

In 1649, Jane Causine demanded a patent for 2000 acres of land due to her daughters, Mary and Jane Cockshott, as heirs of their father, John Cockshott. She secured a warrant to have laid out land on the Potomac River between Cedar Point and the head of Port Tobacco Creek and for this a patent dated Oct. 25, 1649 was issued to Mary and Jane for 1200 acres on the east side of the Potomac River adjoining the land of Nicholas Causine. On the same date Nicholas Causine received a patent for the adjoining 1000 acres, called *Causine Manor.* The girls called their 1200 acres *Cockshott.* In the course of a law-suit some years later, it was said that Causine's land was a gift to him from his wife Jane, being her rights to John Cockshott's land.[14]

These grants were miles away from the settlements around St. Mary's City and deep in the wilderness and on the Indian frontier, yet perhaps near the Jesuit Mission to the Indians in that general area. Yet before February 26, 1653/4 when Nicholas Causine made his will, the Causine family had moved to his land near Portobacco in what was soon to become Charles County, and had cleared the land and built a house.[15] To this house came Benjamin Gill, where he was cared for by Mrs. Causine until his death on November 22, 1655. Gill was the father-in-law of James Neale, patentee of Wollaston Manor, who had left the Colony and was presumed dead. Gill had a cousin, Robert Cole, who claimed Gill's estate. But in 1658 the Causine family claimed that Gill had left an oral will, leaving his personal estate to them. From the testimony in this case we learn the ages of the members of the family, and that Mary Cockshott had married Henry Adams. Nicholas Causine had died meanwhile, leaving a will probated in 1656. Jane Cockshott was not married in 1658. Jane Cockshott-Causine married Robert Clark late in 1656.[16]

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[12] *Ibid.*, IV, 96.

[13] *Ibid. passim*; XLI, 169-174.

[14] Cert. AB and H, f. 22, 28, 29; Pat. AB and H, 306; Chancery 3, f. 707.

[15] *Arch. Md.*, XLI, 54.

Jane Cockshott, the daughter, subsequently married Thomas Matthews. That name occurs many times in the early history of St. Mary's and Charles Counties, and it cannot be said with certainty how many men of that name there were, nor which is which. As to the one that Jane Cockshott married, we have the following letter:

To the Rt honnorble Charles, Calvert Lieut of this Province
of Maryld dd.
St Mary's

Sir

Upon Munday last the Indeans of Pascattaway sent to my Brother & mee, word tht they had taken two prisonrs of the Johnadoes upon the North side of patomake river desiring that some of the English would come & heare their Confession & see their pceedings agt them which should be the next day by noone if wee would come or else send thm word or wee tht J would not come where upon I requested my brother Ignatius & Henry More to goe along with mee & wee went thither according to the tyme they appointed & after I came they presently began to Torter the man & gave mee this Relation from him by an Interpreter who undrstood him tht there was sixty of them upon the North side of patomacke River for to Warr & kill the English & the Indians & doe what mischeife they could & he confessed they had Cutt of one house & tht the English had killed thm six men but what had been don since hee came from them he could not tell & he sd there was a hundred more which were gone to the head of the bay to kill English there & sasqehanoes to if they can light of them & tht this Sumer they did intend to come into our Necke to kill English if they could but passe the Indeans & not be discovered this I thought good to acquaint yor lop wth tht you may use what meanes you can to give thm notice at Baltemore County tht they may looke to themselves, as for the Relacon & maner of their tortering thm I omitt till I shall see yor honor,

from yor humble servt
Tho: Mathews

For the Rt honrble the Lieut genrall. These from the Indian Interpretor
Mr Thomas Mathewes for the safty of this pvince from
howse to howſe post hast
My brothr Adams pnrth his service unto yor honnor

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[16] *Ibid.*, 169-174.

This letter was presented at the Council Meeting when it was received; it was dated Portobacco, June 9, 1664. There are several references in the Council Proceedings to " Mr. Thomas Matthews, the Indian Interpreter " between 1660 and 1666. He must have been Jane Cockshott's husband to have been the brother of Henry Adams (who had married Mary Cockshott). His " brother Ignatius " may have been Ignatius Causine, half-brother of Jane Cockshott.[17]

Is Thomas Matthews, the Indian interpreter, the same as any of the other men by that name in the records? First there was Thomas Matthews who was brought into the Colony by Father Copley and was actively associated with the Jesuit Community.[18] In 1649, Copley assigned to Matthews *St. Thomas Manor* at Chapel Point, which Matthews deeded back to the Jesuits in 1662.[19] This Matthews was active in all Catholic activities, serving as trustee on various occasions where bequests were made for charitable purposes. When elected to the House of Burgesses in 1650, he refused to take the Oath of Secrecy prescribed for Burgesses because it would have prevented him from " counceling " with his constituents at St. Inigoes, they being the Jesuit Community there. For this, Matthews was expelled from the Assembly.[20]

Then there was Thomas Matthews who lived on St. George's River who was a Justice of St. Mary's County Court from 1658 through 1662.[21] Was he the same man as Thomas Matthews who was Justice of Charles County Court from 1663 until his death in 1675/6?[22] It would seem strange if these men (or this man) were the same as the one who styled himself in 1664 the " Indian Interpreter " and who is referred to under that designation from 1660 to 1666.

Which one, if any, of the above was identical with the Thomas Matthews styled " Chirurgeon " in 1651? The chirurgeon left a widow, Jane, who was administrator of his estate in 1675/6; later she married John Bread.[23] Thomas and Jane had a son William. Before 1721, a William " Mathis " had come into possession of part of *Cockshott*, which, in testimony in a Court case, he said "he had by his mother." [24]

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[17] *Ibid.*, III, 403, 453, 501; LX, 34; II, 11, 14.

[18] Pat. 1, f. 17, 20, 25.

[19] *Arch. Md.*, LVII, 1v.

[20] *Ibid.*, I, 273-277.

[21] *Ibid.*, III, 356; XLI, 88, 589.

[22] *Ibid.*, LIII, *passim*; LX, *passim*.

[23] *Ibid.*, LXV, 684. Inventories and Accounts 2, f. 253; *ibid.*, 4, f. 379.

It would seem as if half of *Cockshott* would belong to the heirs of Mary Cockshott who had married Henry Adams, perhaps the most prominent man in the early history of Charles County. He was a Justice from 1658 (when Charles County was set up) until his death in 1686. At various times he was (in addition to Justice) Burgess, Sheriff and Custodian "for weights and measures," and was one of the Commissioners to acquire a Court House in 1674. By his will made in 1684 and proved in 1686, he left to his daughter, Jane Matthews "land I purchased of Col. John Jarboe and adjacent to the land belonging to her mother lying upon the East side of Potomac River." It has not been learned what became of this Jane Matthews' land, nor what was the name of her husband.[25]

The ownership of *Cockshott* immediately following Mary Adams and Jane Matthews is obscure. The tract or part of it may be the land mentioned in the will of William Matthews who in February, 1724/5 left to his son Luke (or Lucas) his dwelling plantation and residue of his real estate.[26] In any case Luke Matthews by his will probated April 2, 1734, left to his son, Jesse Matthews, one-half of *Cockshott*, and to his unborn child, if a son, he left the other part; but, if a girl, Jesse was to have it all.[27] Jesse did get it all and in 1760 asked for a "resurvey of the 1200 acres with liberty to exclude such part thereof as may be taken away by navigable water." As a result, *Cockshott* showed only 100 acres.[28] As noted above, Jesse died in 1775 and by his will *Cockshott* became the property of his infant son, Luke Francis Matthews.[29]

Thus *Cockshott* was associated with the triumvirate who ran Charles County from its beginning until the eve of the Protestant Revolution. Henry Adams, Thomas Matthews and Ignatius Causine, staunch Catholics all, were continuously on the Bench, in the Assembly, acting as coroners or sheriffs, trustees or in other positions of authority. After 1689, they were no longer in public life, but their descendants continued in Charles County for many, many years.

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[24] Wills 4, f. 204. Chancery 3, f. 707.

[25] *Arch. Md.*, XLI, 169-174 *et passim*; III, 424, 501, 519; LIII, I, XLIX, LVII, LX, II, V, LI, *passim*.

[26] Charles Co. Wills AB No. 3, f. 179.

[27] *Ibid.*, CC No. 3, f. 927.

[28] Cert. BC and GS No. 14, f. 182.

[29] Charles Co. Wills WF No. 1, f. 292.

In addition to *Cockshott*, Luke Francis Matthews inherited by will of his father, Jesse, land called *The Addition.*[30] A tract by that name belonged in 1701 to Captain Philip Hoskins, whose wife was Ann Matthews, daughter of Doctor Thomas Matthews and Jane. It adjoined the land laid out for Jane and Mary Cockshott. Capt. Hoskins got a warrant to survey " some vacant cultivated land " contiguous to his tract and assigned the warrant to William Matthews, brother of his wife, Mrs. Ann Matthews Hoskins. William then obtained a patent for *The Addition*, containing 164 acres.[31] This land descended to Luke Francis Matthews through the same channels as *Cockshott.*

More land came to Luke Francis in 1799, when he acquired by purchase from Ignatius Matthews, 345 acres of a tract called *Matthews Purchase.* This was part of a tract of 460 acres adjoining the land of Ignatius Causine, the original patent for which was issued in April, 1687 to another Ignatius Matthews, eldest son of Doctor Thomas Matthews and Jane, and brother of William. The elder Ignatius married Mary Doyne, daughter of Joshua Doyne; the widow later married Thomas Jameson. Ignatius in his will probated July 21, 1698, did not mention *Matthews Purchase* by name.[32]

In some way the land became the property of his brother William, whose will leaving bequests to his son Luke (or Lucas) has already been mentioned. By the same will he left to his son Thomas one-half of *Matthews Purchase* and the residue of the tract to his son Joseph. The will provided that if either son died before marriage, his portion was to be divided equally between the surviving brothers. Evidently Thomas died, which gave Joseph 3/4 of *Matthews Purchase*, and gave brother Luke 1/4 or 115 acres.

Luke's share went to his widow, Martha, who later gave it to her daughter, Mary Sherburne. It was not a part of *Mount Air.*

Joseph's share came down through his descendants to the Ignatius Matthews who sold the 345 acres to Luke Francis Matthews in 1799.[33] This completed his holdings—*Cockshott*, *Addition* and *Matthews Purchase* which were surveyed as Mount Air in 1801.

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[30] *Ibid.*

[31] Cert. DD No. 5, 1, f. 80.

[32] Charles Co. Deeds IB No. 4, f. 104, 110; Cert. 22, f. 321; Wills 6, 154; Harry Wright Newman, *The Maryland Semmes and Kindred Families* (Balto., 1956), pp. 237, 240.

It is unfortunate that so little is known about the various owners of Mount Air. Several of the Matthews family became priests and nuns. Ann and her nieces Susanna and Ann Teresa established a branch of the Carmelite Order in Charles County, while William Matthews, brother of the latter sisters, was the first native-born American to be ordained a priest in this Country. He was President of Georgetown College and later pastor of St. Patrick's Church in Washington, and was active in founding Gonzaga High School there.[34] Presumably they lived during their childhood at

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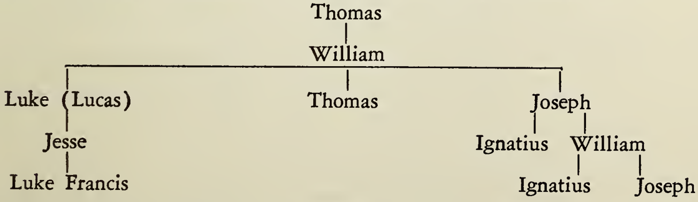
[33] Chain of title to *Matthews Purchase*
Furnished by Miss Katherine Riggs Poole

A. Patent to Ignatius Matthews, 1687, 460 a. (Cert. 22, f. 321).
B. Became property of William Matthews (not known by what means).
C. Will of William Matthews (1724); Charles Co. Wills AB No. 3, f. 179.
  ½ to son Thomas (230 a.)
  ½ to son Joseph (230 a.)
    If either die, his share to be divided among his brothers. Thomas evidently died, leaving:
      Joseph ½ plus ¼ = ¾ (345 a.)
      Luke (Lucas) ¼ (115 a.)
D. Luke left his share to wife Martha (Charles Co. Wills CC No. 3, 927). She gave it to her daughter Mary Sherburne; it did not become a part of *Mount Air*.
E. Joseph left his share (Wills 20, f. 925)
  ½ to son William
  ½ to son Ignatius
F. Ignatius (above) deeded to his brother William his share (Charles Co. Deeds A3, f. 255). William now has 345 a.
G. William left it to his son, Joseph, (Charles Co. Wills 41, f. 277).
H. It became property of Joseph's brother, Ignatius (presumably due to death of Joseph, leaving his oldest brother Ignatius his heir-at-law).
I. Ignatius sold it to Luke Francis Matthews (Charles Co. Deeds IB No. 4, f. 104 and 110).

Chart of members of Matthews family involved in title to *Mount Air*



[34] Margaret Brown Klapthor and Paul Dennis Brown, *History of Charles County, Maryland* (La Plata, 1958), pp. 68-71; 107.

Matthews Purchase. Their brother Ignatius was no doubt living there in 1790 when, according to the Census, he was living alone, and had 15 slaves.

No one of this Matthews family seems to have been active in the Revolutionary War. But Luke Francis' father-in-law to be, Gerard Blackistone Causine, was very active as a civilian in the Patriot cause. When Daniel of St. Thomas Jenifer fell ill in 1780 —an illness " brought on by the great Fatigue he has undergone in endeavoring to procure supplies for the Army " (in Charles County)—his son suggested to the State Council that they appoint Mr. Causine and Mr. John Muschett jointly as Commissary of Purchases in his father's stead. " They are Gentlemen of Integrity and Industry and most fervently attached to the Cause of America." To this suggestion, Gerard Causine replied:

> I think there is very little Dependence to be put in any further Assistance in the Loan Way from this County; at least from the Inhabitants in my District There being but few who I think are able to do more than pay their Taxes according to due Course of Law; & those few who are able, to all Appearance the least willing. As to money, there is very little in circulation with us at present, having had but a trifling Market for tobacco this Summer.
>
> If there was any Chance of Success, your Excelly may be assured I would persevere in the Business with Pleasure; but knowing from Experience there is not I am for that Reason & that only, at present inactive in it.

From the Council records, it is evident that Mr. Causine did procure a great deal in the way of supplies for the Army.[35]

Not only did the inhabitants of Charles County suffer for lack of money in the Revolution, but they were subject to attack by the enemy. In 1781, Daniel Jenifer reported to Gov. Lee that two armed schooners and a cutter and some barges came above Cedar Point, and plundered Mrs. Young of her most valuable effects. They proceeded to Walter Hanson's, pillaged himself and family of every kind of wearing apparel and carried off Samuel Hanson (an officer in the Maryland regiment) a prisoner, and " exceedingly insulted the whole family." They then moved to the Reverend Mr. Matthews's and committed the same " Devastages "; they were prevented from landing at G. B. Causin's by the appearance of some militia; thence to the " elegant seat " of George Dent.[36]

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[35] *Arch. Md.*, XLV, 53, 93.

Although in the Census of 1790, Gerard B. Causine of Causine Manor had 75 slaves, he was in financial difficulties. His generous contributions and loans to the Revolutionary Government no doubt added to the debts which he (like many others of his time and station) owed to British merchants. As a result, in 1790 he distributed many of his slaves among his children, and then made over the rest of his estate to Alexander Hamilton, who as trustee was to sell Causine's land, negroes, etc. and return any left after paying his debts to Causine.[37]

During the War years, Luke Francis Matthews probably was living in the home of his step-father, Joseph Simms. He became sixteen years old in 1789, but as he is not listed in the Census of 1790, he still did not have his own home. In 1799 he purchased *Matthews Purchase*; after 1790 but before 1800, he married Rose Causine, and in 1801 he had a survey made of *Mount Air.*

This would seem to place the date of building the present *Mount Air* house at about 1801. As to the little 16 foot square house incorporated into the new *Mount Air*, we can only speculate. It could have been built by Thomas Matthews (died 1676 or 1677); William Matthews (died 1725); Luke Matthews (died 1734) or Jesse Matthews (died 1774). Jesse could almost certainly be ruled out, since the little house was already called " old " in 1789, only 15 years after his death. Likewise the other house on the property in 1789, size 28 x 18, was said to be " much out of repair "; it, too might have been built by any of the owners of *Cockshott* or *Addition*; we do not know what became of it. According to the recent survey made for the present owner, Mr. Burroughs, it is obvious that the house now *Mount Air* is too near the river to have been on *Matthews Purchase.*

In 1815, Luke Francis died and was buried on his estate. His grave-stone is there today. It reads:

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[36] *Ibid.*, XLVII, 172, 173.
[37] Charles Co. Deeds, K4, 43-47.

I H S
Sacred
to the Memory of
Luke Francis Matthews
who departed this transitory life
February the 19th in the year
1815
Aged 43 years
In all the various relations of life
As a citizen Husband Father
Friend and Neighbor
He was Exemplary
While Living he Possessed
the Esteem of All
and
He died universally lamented
Requiescat in pace
Amen

Luke's will, dated Aug. 2, 1813, was proved Apr. 4, 1815. It provided that his widow, Rose, should have one-third of his estate; when his son, George Washington Matthews, became twenty-one years old, the estate was to be sold and divided among his children whom he named.[38]

Thereupon, in 1822, George sold Mount Air (654 acres) to Judge Robert Digges. The latter sold it in 1857 to his brother-in-law, James Neale. James' sisters kept a girls' school in the house. The Neales did not prosper, so after James' death, various creditors brought suit against the heirs. Trustees were appointed who sold the Mount Air property at the Court House door in Port Tobacco on May 21, 1864, to Martha E. Wills for $7000. By Martha's will of 1912, *Mount Air* was left to Miss Kate Robertson of Baltimore and to Miss Wills' brother, T. Wright Wills, sr.

These heirs of Martha Wills sold *Mount Air* in 1913 to George H. Stevenson and Carl C. Porter, who divided the property in 1917, Mr. Stevenson acquiring the *Mount Air* house and 124 acres.

Miss Katherine Scarborough in her *Homes of the Cavaliers*, gives an amusing account of the efforts of Mr. and Mrs. Stevenson to rescue the house from "years of neglect which had contrived to impregnate the walls with dampness." To cure this situation, they covered the walls with black stucco!

Discouraged perhaps, the Stevensons eighteen years later sold the place to Capt. and Mrs. George C. Pegram, who succeeded in making *Mount Air* a " show place," very much as it is today. After Capt. Pegram's death and Mrs. Pegram's remarriage to Walter Cady, the place was sold in 1952 to its present owners.[39] Mr. J. Edward Burroughs, Jr. is a lawyer who practices in Washington and Maryland and has a Southern Maryland background. Mrs. Burroughs, the former Lucy Matthews, a native of Georgetown, D. C., was fittingly named, but, according to her, is not a member of the Matthews family who owned *Mount Air.*

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[38] Charles Co. Wills, HB No. 13, 378.

Under the present owners, a few changes have been made in *Mount Air* house in the interest of comfortable living, such as the addition of bath rooms and porches, but these have not detracted from the house's architectural interest. The gardens are beautifully maintained;—their loving custodians keep a constant vigil over the boxwood and other planting. The house is tastefully furnished in a manner suitable to its period. Altogether, *Mount Air* today is a place not to be missed by anyone with an excuse to visit it—a fact apparently known to many if one may judge from the numbers of people who go there on Maryland Garden Pilgrimages and other occasions. All the early Matthews owners would be proud and happy if they could return to visit their former estate.

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[39] Charles Co. Deeds, RM No. 1, f. 566; JS No. 2, f. 119; BGS No. 1, f. 550; Charles Co. Wills, CHP No. 19, 495; Charles Co. Deeds, JHC No. 1, 94; CP No. 31, 322; WMA No. 64, f. 126; PCM No. 101, f. 349; also *Homes of the Cavaliers.*

SIDELIGHTS

JONATHAN BOUCHER, TORYISSIMUS

By RICHARD M. GUMMERE

There are other clergymen of British sympathies who out-rank Jonathan Boucher in historical importance. Odell, the broadside satirist, and Samuel Seabury, author of the *West Chester Farmer Letters* which roused the pen of Alexander Hamilton, were more in the public eye. Boucher was parochial; and yet the reader of his correspondence with George Washington and his thirteen sermons on current pre-Revolutionary issues, feels the force of a driving personality. The man himself was an excellent sounding-board for those exciting days. He held out until he was forced to leave the country; and he ended his life as a vicar at Epsom in Surrey, publishing his *Discourses* in 1797 and occupying himself with the historical and linguistic studies for which his classical knowledge qualified him well.[1]

Born in Cumberland in 1738, Boucher, with a local grammar-school education and some experience as a sort of apprentice teacher, emigrated to Virginia in 1759 in the capacity of a private tutor. Returning to England in 1762, he was ordained and then held several positions in the Old Dominion, finally settling at St. Anne's in Annapolis. This church was familiarity known as *Gradus ad Parnassum*—" a step toward Heaven," described by himself as *Ne Plus Ultra*—" The last word."

Here he was happy, a friend of the Governor and an articulate member of the " Homony Club," where literature was a hobby. He had the educational charge of Jacky Custis, Washington's step-son. Over these years he was involved in many current affairs: agricultural improvements, the first Stamp Act discussions, the Parson's Cause, and the economic problems of the Province. He was by no means a shy person, and at times naïve. An instance of the first trait was his free advice to the stockholders of the Potomac Navigation Company. The second was the questionable taste of his letter to a Mr. Addison, whose niece he wished to marry, comparing the lady to " a little unoccupied plantation " which would richly repay cultivation, and fortifying his remarks by quotations from two passages of his favorite Vergil, calling to mind the " skilled old Corycian gardener," and repeating the offer of Juno to find a wife for Aeolus, God of the Winds.[2]

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[1] Boucher's main work is his *View of the Causes and Consequences of the American Revolution, in Thirteen Discourses Preached in North America between the years 1763 and 1775* (London, 1797). See also his *Reminiscences of an American Loyalist*, ed. J. Bouchier (Boston, 1925). *The Letters of Jonathan Boucher*, ed. W. C. Ford (Brooklyn, 1899). For other letters and memoranda, see *The Maryland Historical Magazine*, vols. VII-IX, 1912-1914, also 1949, pp. 244 ff. and 1954, 157; D. S. Freeman, *George Washington*, 7 vols. (N. Y., 1951) III; J. C. Fitzpatrick, *The Writings of Washington*, 39 vols. (Washington, D. C., 1931, 1944), II, XXXVI; *id., Diaries of G. W.*, 4 vols. (Boston, 1925) I. V. L. Parrington, *The Colonial Mind, 1620-1800* (N. Y., 1927) pp. 214-218, gives a fair account of Boucher as a blunt but honest Tory.

The thought which was always on his mind is illustrated by his *Quaeres addressed to the People of Maryland:*[3] " I. Do not the popular meetings bear a very near resemblance to the tribunitial assemblies of the people in the earlier periods of the Roman history? II. Do not the resolves entered into at such popular meetings resemble also the *Plebiscite* or *Ordinances* which in after times were as valid and obligatory as the *Senatus-Consulta?* III. By encouraging these, do we not in fact encourage that *Dominatio Plebis*, so much desecrated by the best writers on Government? "

We may briefly consider Boucher as classical educator before we concentrate on him as a pugnacious politically-minded churchman. He also kept a school for boys; but his particular attention was given to Jacky Custis, who at fourteen had been reading Vergil for two years and was beginning the Greek Testament. In July, 1768 the schoolmaster asked the patient and busy planter to " look into his books for work of Cicero, *De Officiis*, or his Familiar Epistles, and a Livy," to be despatched as soon as possible. The lad's future college was discussed with care. President Witherspoon of Princeton had criticized Boucher because his pupil was not " put into Greek "; but the latter maintained that an all-round education was more important: " things were superior to books." William and Mary was too near. Princeton and the College of Philadelphia were " the nurseries of all that frivolous and mischievous kind of knowledge that passed for learning in America—they are smatterers in Rhètoric and the belles-lettres."[4] The friendly debate ended with a term under Myles Cooper at King's College (Columbia), with good-sized bills from both tutor and president, and the young student's marriage to Nelly Calvert. Inevitable circumstances brought this relationship to an end. The General had been patient and courteous; Boucher honest but expensive. The spell broke on August 6, 1775.

Washington received, presumably at his headquarters in Cambridge, a farewell letter: " I know many Whigs who are not tyrants. In this number it is but doing common justice to place you." But the tone grows more severe: Washington should not have " looked on while he [Boucher] was vilified." The letter closes with a renunciation somewhat like the famous note of Franklin to his friend the printer Strahan: " You are my enemy, and I am, yours." After the Peace he wrote to Washington from his Epsom vicarage in May, 1784, not apologizing but sending out a feeler towards renewed friendliness, wishing health and happiness to the pair at Mount Vernon, though still objecting to the new American national "Equality of Religious Establishments."

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[2] *Reminiscences*, 82-91. Like " the Old Corycian gardener," B. would " teach the plant to bloom " (*Georg,* IV. 127). For Junos offer of a wife, see *Aeneid,* I. 73-75.

[3] *Reminiscences*, 128.

[4] *Ibid.*, 101.

The *View of the Causes and Consequences of the American Revolution* is a collection of sermons delivered in America before the war and doubtless somewhat altered from their original form. It is generously documented with footnotes and heaped with classical allusions or illustrations. A motto on the title-page is taken from Bellenden's *De Statu*,[5] suggesting the immediate facing of possible future problems: *Cum a strepitu tumultuque aures nostrae paululum conquieverint, quid tandem causae est, cur de re publica quid sentiamus taciturnitate diuturniore celemus?*—"Since our ears have been for a brief while rested from the din and confusion (of war), is there any reason why we should hide our feelings about the State by further silence?" A lengthy preface congratulates Washington on the wisdom of having established a "mixed government" like that of Britain. It expresses the hope that the modern Cincinnatus, interested in peace, may have followed the Vergilian advice and brought about a rêgime of peace and order.[6] "The turbulent spirit of Republicanism" must be avoided; for Government is not founded on the consent of the people! Will the Republic endure if, like the earth-men of Cadmus, demagogues should spring up and mob-spirit prevail as it did during the French Revolution? Many American governors were, as Phaedrus fabled, chosen only to be King Logs, insulted by the trouble-making frogs. American merchants had been in debt to the British: hence came trouble like that which Cicero and Sallust pointed out as the result of *aes alienum* (debt), all ready for an uprising under Catiline.[7] While the rebellion against Tarquin was not a parallel, there was a condition resembling the quarrel between Corinth and Corcyra,[8] where the former claimed the "natural rights" of a mother-country, and the latter complained of harsh treatment.

Historians would smile at Boucher's comparison of the ineffective Sackville (Lord George Germain) with the Athenian Aristides. They would laugh at the friendly hint that the Father of our Country should have refused to take up arms against a tyrant without an order from the Senate, as Verginius Rufus did, declining also to become Emperor.[9] There was good reason for the British government to strike hard in 1775, as there also was for the Roman Republic to act promptly against its rebellious colonies.[10] In spite of all this, however, the American Republic may become "a great Empire under a monarch like Augustus," after a few disturbances and the establishment of a central organization. Church and State must go hand in hand. Perhaps some day the two nations might unite to form a world-power, matching the glory of Old Rome, as Anchises prophesied to Aeneas. Polybius had some inklings of the ultimate decline of mighty realms;[11] but the Tory refugee congratulates his friend on a noble career, and wishes the young republic well, in spite of some left-handed criticism and the scars of what the writer felt to be an error and an injury.

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[5] William Bellenden, *De Statu Prisci Orbis, a General History* (Paris, 1615).

[6] *Aeneid*, VI, 852,—the prophecy of Rome's greatness.

[7] Cicero, *Catil.*, I.25; II.20; *Sallust, Catil.*, 14, 23, 40.

[8] Thucydides, Book I.

[9] Pliny, *Epistles*, VI.10.

[10] Livy, XXVII.10.

The first "Discourse" was a sermon preached in 1763, celebrating the close of the Seven Years' War and welcoming the opportunity of an extensive agrarian policy on the Virginia plan, hand in hand with the prospect of universal peace. Parallel credit from the past is given to the pagan Augustus, who had shut the temple of Janus and had issued an edict that all the world should be taxed. This was "a propitious circumstance to the propagation of the Gospel," reversing the process lamented by Vergil and Ovid, when pruning-hooks were beaten into spears.[12] It is doubtful if Boucher was familiar with the works of Jonathan Edwards; but the latter used this same simile of Janus and world-peace under Augustus as an opening for the preaching of the Word throughout all nations. "War," declared the Tory parson, "is a relic of barbarism;" all Eusebius joins Tertullian in this opinion. *Latro* (highwayman) is synonymous with *soldier*; and the speaker hopes that no more French and Indians may disturb the frontier. As did John Dickinson, he bracketed the conquest-policies of Rome and Carthage with those of France and England.[13] He gives us a glimpse of his inner convictions when he declares that Julius Caesar makes bad company in the presence of Socrates, or Fénelon, or William Penn. The Sermon ends with a prayer for harmony and a peaceful planter-existence, where "the fields will be yellow with ripe grain," and Ceres, "who first taught mortal men to till the soil with the plow," may come into her own again.[14]

The second and third "Discourses" deal mainly with ecclesiastical matters, *On Schisms and Sects*, and *The American Episcopate*. Thanks to the Romans, who were lenient in allowing conquered people to retain their own religion, and to the Greeks, who never tried to convert anyone, the way was prepared for the Saviour to gather believers together from a variety of creeds. So far, this was sound doctrine,—a united church. But toleration, as Nathaniel Ward had also maintained a century and a half previously, was to Boucher a fallacy. Scattering in different sects meant loss of effectiveness: the ancient Britons, as Tacitus declared in his *Agricola*, could not unite because *in commune non consulunt.* The Virginia clergymen who voted against an American bishopric did not understand that bishops succeeded apostles and that such a succession was "just as proper as the succession of Roman emperors or British kings." There should be one church, a "tower of strength," like the protector whom Medea sought after she had overthrown the house of Jason.

As a conservative educator, Boucher let himself go in the fourth "Discourse," in a region where the well-to-do had tutors but the mass of the population was neglected. Here he was at one with Jefferson, but on a different basis. Cicero and Juvenal[15] support his argument: "What better gift can we present to the State," said the former," than an educated citizenry?" Juvenal's *ut patriae sit idoneus* ("ready to serve one's country") should be laid to heart. The ancients, if their experience of human nature was more limited, and consequently their stock of knowledge less extensive, were superior to the moderns in that they made a better use of what they *did* know. Xenophon "was as much a legislator as Lycurgus"—his idea of it was "an apprenticeship to the business of life." The Jews took their education much more seriously than did the Greeks and Romans, with special emphasis on their religious code. The preacher's advocacy of learning is backed by the well-known passage on Liberal Studies in Cicero's *Archias*.[16] Even the Dissenters are insistent on good schooling; and Episcopalians should profit by their example: *Fas est et ab hoste doceri*—"Learn a lesson from your enemy"—a proverb popular throughout Colonial history.[17] An agricultural society is especially favorable to learning, because, according to Aristotle," the citizens occupy themselves with statecraft, having people to work for them, and they are able to have leisure." Plutarch adds his testimony from his essay *On the Education of Children*, and for good measure Boucher records the words of Diogenes to the Megarians: "Better to be one of their swine than one of their children!"[18]

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[11] Polybius, *Histories*, VI.57.

[12] For the same theme in Jonathan Edwards, see his *Works*, ed. of 1844, I, 386. For the Ovid and Vergil references, *Fasti*, I.639 and *Georg.* I.508.

[13] Dickinson, *Fabius Letters*, 1797 series, nos. 2-6 *passim.*

[14] Vergil, *Eclog.* IV.28 and *Georg.*, I.147.

The sermon of 1774 continues this plea for an ultimate union of Churchmen, Catholics, and Dissenters. It was preached in St. Anne's, *On the Toleration of Papists*, and may have been intended as a token of agreement with the Quebec Act for Canada, which was finally passed by Parliament in the same year. Furthermore, the writer may have given some thought to the Maryland toleration act, which for a time provided freedom of worship, Catholics included. Persuasion is better than compulsion: *Quis tulerit Gracchos de seditione querentes?* ("Who could endure to listen to the Gracchi on the subject of rebellion?"), as John Dickinson declared under more critical circumstances.[19] There should be no gospel of hatred, no curse on future generations like that of Dido on the descendants of Aeneas:[20] *Genus omne futurum exercete odiis! Nullus amor populis, nec foedera sunto*—"Train all the after-born to hate! Let there be no friendship, no treaties, between the two nations!" Catholics should be fairly treated, educating their children in their own way, instead of seeking elsewhere. On this point, the Younger Pliny was sound: *Educentur hic qui hic nascuntur, statimque ab infantia natale solum amare et frequentare consuescant*,[21] "Let those who are born here be schooled here; from infancy onward let them become accustomed to love and to live in their home region." As for the current Deism, it should be outlawed: "Some modern writers have extolled the mild spirit of heathenism, as though it had been peculiarly indulgent to persons of different religious creeds." Here the Episcopalian is as emphatic as the Presbyterian Witherspoon—both classical scholars of no mean attainment.

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[15] Cicero, *De Divinatione*, II,2; Juvenal, *Sat.*, XIV, 71.

[16] *Pro Archia Poeta*, 7.

[17] Ovid, *Metam.*, IV.428.

[18] Plutarch, *On the Training of Children*, 7; Diogenes Laertius, *Vitae Philosophorum*, VII.2.41 (in this version a ram, not a pig).

[19] Juvenal, *Sat.*, II.24.

[20] *Aeneid*, IV.622.

[21] *Epistles*, IV.13.

The seventh Discourse continues the plea for unity. "The first criterion," says Aristotle, "is a care for religion." Epaminondas, on being praised by his people for governing well, replied 'You obey well!'" Dissenting chatter indicates civic decline. Petronius, a rather shaky witness, lamented the current fashionable *ventosa et enormis loquacitas*; Tacitus in his *Dialogus* bears the same testimony: *Est magna et notabilis eloquentia alumna licentiae*—"Heavy and conspicuous flow of talk is the foster-mother of loose morals." Unchecked and disloyal attitudes toward the Establishment are the beginning of deep-seated trouble. But the Word of God is like a rock, to which the unbending King Latinus is compared: [22]

Ille velut pelagi rupes immota resistit,
Ut pelagi rupes magno veniente fragore,

"Like a cliff by the sea that stands unshaken, yea, like a cliff by the sea when the surf comes heavily crashing."

The year 1774 was a critical one; three more sermons were preached within that period, recalling the quarrel between Abraham and Lot, and the famous Absalom and Achitophel episode. All three were allegorical of the political situation, reflecting the problem of taxation without representation. There is still hope for the olive-branch and a solution like that when Aristippus and Aeschines were reconciled.[23] "Our English Livy" (Lord Clarendon) had written with eloquence on the evils resulting from civil war. Boucher's language is akin to that of John Winthrop on Civil Liberty, stressing acquiescence in "some fixed and steady principles of conduct." [24] The mutual advantages of a loyal colony are as obvious to-day as they were to Sallust: [25] *Vobis vero nulla opportunior amicitia nostra*,—"No friendly alliance could be more beneficial to you than ours." But the tragedy of the situation was obvious, and the misplaced ambitions of would-be tyrants must be checked; there is no place for any Alexanders:

Unus Pellaeo iuveni non sufficit orbis;
Aestuat infelix angusto limite mundi,—

"One world is not enough for the young Macedonian, and the hapless one chafes at the narrow limits of his universe." [26]

At this point Boucher's classical comparisons begin to be abusive. Catiline is dragged out from the pages of Sallust, with his mob of *flagitiosi* and *facinorosi*; and Dionysius of Halicarnassus furnishes a parallel, that the Loyalists are the Patricians and the rebels the Plebeians.[27] Hesitation would be fatal: King David was too soft-hearted; and Tiberius waited too long, in the case of the Gallic rebellion of 21 A.D.: " *Consultus super eo Tiberius aspernatus est iudicium, aluitque dubitatione bellum*: " "When Tiberius was consulted on this matter, he refused to make a decision, and thus by his wavering he encouraged the war." [28] To the Committees of Correspondence and the many provincial assemblies the preacher cried: " Come, then, ye perturbed spirits, shew me, if you can, in what your conduct differs from that faithless incendiary whose history we have just been reviewing! " And worse yet: the likeness of Benjamin Franklin to Achitophel and Catiline is clearly indicated, and many of his hearers thought that Absalom meant Washington!

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[22] *Aeneid*, VII.586.

[23] Diog. Laertius, *ibid.*, III.24.

[24] S. E. Morison, *Builders of the Bay Colony* (Boston, 1930) p. 103.

[25] *Jugurtha*, CII.7.

[26] Juvenal, *Sat.*, X.168,—the over-weening ambition of Alexander.

By 1775 the attitude of Boucher had become known to a wide circle. His eleventh and twelfth " Discourses " are direct answers to attacks on the mother country by Dr. William Smith, Provost of the College of Philadelphia, and by Jacob Duché, who offered the first prayer before the Continental Congress but became finally compromised. These addresses are also a blend of classical and Biblical, alluding to rebellious tribes who mistakenly move away and build altars elsewhere, proving Plutarch's contention that " there is in every people, naturally, something of a malignant and peevish temper against those who govern them." [29] The only remedy is firm treatment, as in Sallust's Catiline: *Si quid ab Senatu petere vellent, ab armis discedant*—" If they wished to petition the Senate, they should first disarm." An appendix to the eleventh sermon repeats at some length the speech of Spurius Servilius, " a patrician maliciously persecuted by the tribunes," taken from the ninth book of Dionysius Halicarnassensis.[30]

In this fateful year the clergyman is absorbed into the politician: " I stand sufficiently vindicated as a preacher of politics." Fortified by St. Paul's advice, and harking back to the divine right of kings as outlined by Sir Robert Filmer in his *Patriarcha*, he preaches a doctrine of obedience to the constituted powers. For this purpose he ransacks many pagan writers, plus church authorities, in addition to Blackstone, Burke, Clarendon, and Robertson. The " General Governor," whose very name Sam Adams abhorred, would have suited Boucher, if the position had been created with Parliamentary authority and royal approval. Plato, the " oracle of heathen wisdom," was right in regarding Law as the creation of God himself. Locke was wrong in holding that " a right of resistance still exists in the governed," and that the majority have the right to rule.

The Maryland clergyman elevates the authority of the Church to a position no less prominent than the Old Testament supremacy of the

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[27] Dionysius Halicarnassensis, *Antiq. Rom.* VII, I, trans. E. Spelman, London, 1758, III.148.

[28] Tacitus, *Annals*, III.41.

[29] From his *Praecepta Gerendae Reipublicae*, 16.

[30] *Antiq. Rom.*, IX, 28-33. Servilius, accused of risking the lives of a whole army in the Etruscan War, was finally acquitted after a popular vote.

Puritan John Cotton. Individual opinion takes second place to the Law, although the Cicero whom he quotes for the purpose implies a more democratic system of justice; Cicero's law exists *ut liberi esse possimus.*[31] Passive obedience and non-resistance are delusions. Boucher admits that years ago he took part in protests against the Stamp Act; but, like that man in the third book of Xenophon's *Cyropaedia,* who "bowed at the altar of Liberty, hoping to leave liberty to his children," he regards it as a mere thing of the past. If it is incompatible to obey both the Lord and the temporal magistrate, obey the Lord; for Christ himself refused to head a temporal power. His argument is sometimes difficult to follow; but his meaning is clear. If government is to be considered as "by nature absolute and irresistible," and if one's parishioners are ordered to "submit to the ordinances of God rather than the Commandments of men," where do we find ourselves? One asks "Which government?" and "Which men?" Or even, in view of the many religious denominations, "Whose God?" But to him church and state are one; and if America goes to war, it will be not only against established legislative and executive officers, but against Divine authority. The unbending Tory borrows some classical mythology to make his point: "The Greeks described Eleutheria as a daughter of Jupiter; the Romans drew her with the praetor's wand." But there is in these opinions little advance upon the concepts of Winthrop; in fact, the Puritan desired independence from England, with all his strictness of internal government, while Boucher the monarchist believed in both colonial status and local strict control.

We have allowed Jonathan Boucher to speak for himself; and we may also allow him to say his own farewell, before sailing into exile, or returning "home" in 1775, after preaching his last sermon with a pair of pistols lying on his lectern. Like Nehemiah, he would not take refuge in the Temple. In spite of those who, in the words of Pliny,[32] *fictis mentitisque terroribus vera pericula augerent,*—"increased the real danger by false and misleading panic"—he would not surrender. He declared, with the warrior Turnus,[33]

> *Terga dabo? Et Turnum fugientem haec terra videbit?*
> *Usque adeo-ne mori miserum est?*—
>
> Retreat? Never! Shall this land behold in Turnus a coward?
> After all, is it so wretched a fate to die?

He would continue to pray for the King, to hold out against the Committees of Correspondence, and to uphold in his own corner the authority of the Church, which meant the State also. Even at the end, however, Boucher was hoping that some understanding might still be reached, as in the Roman crisis when Appius Claudius and the tribunes were at each others' throats, and Marcus Valerius in his capacity as dictator delivered his speech of reconciliation.[34]

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[31] *Cicero, Pro Cluentio,* 53. This phrase was used by James Wilson and many others of the Founding Fathers.

[32] Pliny, *Epist.,* VI.20.

[33] Vergil, *Aeneid,* XII.645.

[34] Dionysius Halic., *Antiq. Rom.,* VI.38-41 and VII.54.

REVIEWS OF RECENT BOOKS

The Papers of Henry Clay, Volume 1, The Rising Statesman, 1797-1814. Edited by JAMES F. HOPKINS and MARY W. M. HARGREAVES. Lexington: University of Kentucky Press, 1959. xv, 1037. $15.

The continuing fascination Henry Clay has for his fellow-Americans was recently attested when a committee of the United States Senate made him an early and unanimous choice for its list of the five most outstanding senators in our history. It was a popular choice, acclaimed by both scholars and the public. Yet it paid tribute to only one of the many aspects of a distinguished career that spanned the first half of the nineteenth century. For Clay was also one of the greatest Speakers of the House of Representatives, chief of the War Hawks of 1812, secretary of state, advocate of the American System of a planned national economy, leader of the Whig party, thrice a presidential candidate, and the outstanding champion of efforts to reconcile sectional rivalries and preserve the Union.

It is not surprising that such a man has inspired numerous biographies. It is surprising, however, that down to the present there has been no edition of his writings that by any stretch of the imagination could be characterized as scholarly, or complete, or even adequate. What has for over a century served, perforce, as Clay's " Works " is a set of six volumes originally published by Calvin Colton in 1855. Yet this is as much the " Works " of Colton as of Clay, since one half of it consists of Colton's three-volume life of Clay and the other half of speeches by Clay and only one volume of his correspondence. Such a deplorable situation highlights the immense value of *The Papers of Henry Clay*, of which the first of ten projected volumes has now been published.

This initial volume abundantly proves that, at long last, we are to have a complete and scholarly edition of Clay's writings. It covers his career from 1797, when as a boy of twenty he arrived from Virginia to begin his Kentucky law practice, through his participation in the peace negotiations at Ghent in 1814. Included in it are not only Clay's letters and speeches but letters written to him, as well as his business, legal, legislative, and diplomatic papers, together with summaries by the editors of formal and routine documents.

Here in great abundance are source materials varied in subject matter that reflect a many-sided Clay and at the same time richly illuminate the period for the social and economic historian. They reveal Clay as the successful young frontier lawyer busy with land-title cases, collecting bills for merchants such as William Taylor of Baltimore, investing in land, horses, salt and rope manufacturing. They show him as the convivial squire of Ashland plantation, and as public-spirited citizen who urged the gradual abolition of slavery, promoted education, and corresponded about architecture with Benjamin Henry Latrobe. But most of all these papers reflect Clay's meteoric rise in state and national politics. In Kentucky he became the Jeffersonian leader and, as well, the champion of the commercial and manufacturing interests of his Bluegrass region. On the national scene he served first in the Senate and then as Speaker of the House, War Hawk leader, and peace commissioner. All the source materials bearing on his career as "The Rising Statesman" are valuable but especially so are those pertaining to the very important role he played in the War of 1812 from its inception to its conclusion.

This first of the ten projected volumes merits high praise. For the editors have done in a superb manner their arduous and exacting task of collecting Clay's widely scattered papers, preparing them for publication in this handsome and sturdy volume, giving helpful footnote references, and providing an index. They have made a splendid beginning of a project which will fill a great gap in American historiography. Already with this volume they have put deeply in their debt all students of the formative period of our history in which Henry Clay for so long a time figured so prominently.

BERNARD MAYO

University of Virginia

Doctor Kelly of Hopkins. By AUDREY W. DAVIS. Baltimore; The Johns Hopkins Press, 1959. 242. $5.

A biography of Dr. Kelly has been long overdue. Youngest of the so-called "Big Four" (William H. Welch, pathologist, William Osler, physician, William S. Halsted, surgeon, and Howard A. Kelly, gynecologist) who constituted the initial staff of The Johns Hopkins Hospital when it opened in 1889, his likeness has come down to us in the now famous group portrait painted by John Singer Sargent. Biographies of the other three appeared some time ago and now the quadrumvirate has been completed in another respect, namely through the publication of Miss Audrey W. Davis's authoritative work.

Miss Davis, the author of the biography, was Dr. Kelly's secretary for the last twenty years of his life, as we are told by Dr. Edmund B. Kelly, his youngest son, in the foreword to the book. She had abundant opportunity to see him at close-hand, therefore, and in addition he turned over to her the pocket notebooks which contained his notes and memoranda covering the major portion of his life. It is not surprising, therefore, that Miss Davis has been able to give us an unusually detailed and intimate picture of an unique and extremely interesting personality. She brings out very clearly the great diversity of his interests which covered many fields of human endeavor beside that of gynecology, and ranged from natural history through biography, medical history, and political and social reform to the most profound concern for the fundamental tenets of the Christian faith.

Some of Dr. Kelly's professional disciples and colleagues may probably wish that more space had been allotted in this biography to the development of gynecology, including female urology, for it was in this area, and particularly in his mastery of operative technique that he shone with greatest brilliance. His contributions were chiefly of a technical nature and they came at a time when the field was ripe for them and hence yielded a rich harvest. They did much to enhance the early reputation of The Johns Hopkins Hospital, to which Dr. Kelly was deeply devoted and to which he gave freely of his personal means during the period when he was most active, professionally speaking.

If, therefore, the biography should perchance seem in the eyes of some members of the medical profession not to be as complete as it might be, certainly in the eyes of the lay public it will be welcomed as a vivid and arresting portrait of an alert, eminent and warm-hearted individual who radiatetd kindness wherever he happened to be, and left a marked impression upon the institution with which he was associated during his most active years, and where he did his most outstanding work.

ALAN M. CHESNEY

Johns Hopkins University

Kate: The Journal of a Confederate Nurse. By KATE CUMMING. Edited by RICHARD BARKSDALE HARWELL. Baton Rouge: Louisiana State University Press, 1959. xx, 321. $6.

A Southern Woman's Story: Life in Confederate Richmond. By PHOEBE YATES PEMBER. Edited by BELL IRVIN WILEY. Jackson, Tennessee: McCowat-Mercer Press, 1959. 199. $4.95.

Both of these ladies, Scottish-born Kate Cumming of the *Journal* and Phoebe Yates Pember of *A Southern Woman's Story*, were matrons of Confederate hospitals. Mrs. Pember at Chimborazo in Richmond, Miss Cumming in the mobile hospitals set up in the deeper South, were similarly charged with seeing their patients properly fed, comforted, and kept clean; of controlling the supplies and (Mrs. Pember found this endlessly onerous) the whiskey; of dealing with such visiting relatives as the woman who got her husband up and out of his hospital bed so she could have a baby there, and of writing to those relatives who could not come—in time, or at all. Both Miss Cumming and Mrs. Pember were kindness itself, expert brickmakers-without-straw, and the strongest of Southerners; but their differences were more interesting than their similarities.

Mrs. Pember, born Phoebe Yates Levy in South Carolina, was in hospital work from mixed motives. As a widow she had found herself "unpleasantly situated" when she returned to live in her father's house. Unlike Miss Cumming, Mrs. Pember was not constantly annoyed with what people thought of ladies who exposed themselves to the horrors and crudities of hospital life; she did not accept criticism, though she often offered it. Sharp-witted and sharp-tongued, pretty enough to get by with it usually, efficient, well-educated, and hard-working, she is so aware of it all and so afraid her audience will not get the point that she makes a less attractive personal impression than—say—Miss Kate Cumming.

Miss Cumming's motives—I can't call her Kate as nonchalantly as Mr. Harwell does—were not mixed. She was a heroine of purest ray serene. (It is appropriate to quote about her since she herself, her editor says, "quoted poetry at the drop of a cliché.") Her cause was noble, the men and women who served it were noble, the Yankees were wicked and wrong. Not written for publication, as many Southern women's reminiscences were, or so touched up for publication that they might as well have been, Miss Cumming's original version has the immediacy of what she really thought and felt. There are no crocodile tears, for instance, about Lincoln's assassination. (Miss Cumming did not approve of Lincoln, whom she blamed most seriously for the sufferings engendered by his refusal to exchange prisoners.) She is in every way much more serious and literal than Mrs. Pember, and not witty at all; but her goodness is so pervasive and genuine that it never bores.

Mrs. Pember's production is, inevitably, the more "literary." She is endlessly quotable; it is better just not to begin. (One single anecdote, though—of the soldier whom she asked, "Why do you not let the nurse cut your nails?" "Because I aren't got any spoon, and I use them instead.") But both books are more along the lines of solid improvement than entertainment. They add tremendously to our knowledge of the Confederate hospital system both in theory and practise, the wartime attitudes of both civilian and miiltary, and the background of daily events, greatness and pettiness, privation and strain. Miss Cumming is particularly valuable for factual detail, names and dates. Mrs. Pember's book will be of special interest to Maryland readers because of the attention she pays to the rather special problems of Maryland Confederates. Both narratives, long out of print, have been attractively reissued with good if perhaps rather thunder-stealing prefaces, a good index for Miss Cumming and a miserable one for Mrs. Pember. Both are excellent reading, and should reach a wide audience as the Civil War boom continues.

ELLEN HART SMITH

Owensboro, Ky.

American Colonial Painting: Materials for a History. By WALDRON PHOENIX BELKNAP, JR. Cambridge: The Belknap Press of Harvard University Press, 1959. 377, 75 plates. $12.50.

This unusually handsome volume was prepared for publication by Charles Coleman Sellers as a memorial to the scholarship of Waldron Belknap, who devoted the latter years of his life to an intensive study of the genealogical records of America's Colonial artists and their subjects. While it will not interest the casual reader, the specialist in early American art will find this collection of articles, letters, and catalogue notes extremely valuable. The publication of 286 illustrations on 75 plates is in itself a great aid in furthering the study of our early painters and the index, compiled by Ann B. Lenher, renders this complex material readily serviceable.

Two articles, previously published in the *Art Bulletin*, are included at the beginning of the book to illustrate Belknap's aims in his genealogical research. The first of these reasserts the probability that the painter Feke was indeed Robert Feke, Jr. of Oyster Bay by examining minutely the latter's ancestors, relations, connections, and movements in comparison with the facts known about the painter's life. The discovery, first published here, of an article on the painter's career by his grandson leaves little doubt that Belknap's conclusion was correct. The second reprinted article reidentifies Feke's portrait formerly known as Gershom Flagg III, by presenting evidence that it is probably Henry Collins, merchant and shipowner of Newport.

These studies are followed by notes on the de Peyster family, which establish the identities of various portrait subjects, including a group of pictures by Charles Willson Peale, who married into the clan. This augments the author's previous publication, *The de Peyster Genealogy* (Boston, 1956). Then attention turns from patrons to artists in a very full section of notes on the Duyckinck family of New Netherland. The Schuyler and Beekman genealogies are also given as valuable in helping to identify subjects in early portraits. "Notes on Four Painters" include documentation on Raphael Goelet, Nehemiah Partridge, Jacob Strycker, Pieter Vanderlyn, and their descendants, and is followed by an extensive list of "Painters and Craftsmen" with particularly interesting comments on Thomas Smith and John Greenwood. "Notes on Colonial Portraits," which publishes a card index Belknap was preparing, is useful in bringing together material of catalogue nature, dates, dimensions, etc., and is illustrated in many cases.

By far the most fascinating portion of the book deals with Belknap's discovery that English mezzotint prints were far more influential in determining sitters' poses in American portraits than had ever been guessed before. Thirty-eight plates, usually with four illustrations each, and an excellent catalogue demonstrate the dependence of Colonial art upon the English school. But the book does not sufficiently establish that the mere adapting an old pose to a new sitter will neither make nor break a painter. Whether the pose is taken from nature or from elegant European art, the artist still has the task of rendering it convincingly. Particularly in the eighteenth century such plagarisms are excuseable, since they were the basis of approved academic teaching, and " invention " for the artist was defined as recombining traditional forms.

The disconnected nature of the entries in this book make it somewhat disappointing in view of its title, *American Colonial Painting,* and the subtitle, *Materials for a History,* does not entirely dispell this dissatisfaction. But if the reader is forewarned, he will find it a valuable reference work, and one backed by the best scholarly opinion in its field.

GROSE EVANS

The National Gallery,
Washington, D. C.

George Croghan, Wilderness Diplomat. By NICHOLAS B. WAINWRIGHT. Chapel Hill: The University of North Carolina Press, 1959. (Published for the Institute of Early American History and Culture at Williamsburg). viii, 334. $6.

Since 1926 Albert T. Volwiler's *George Croghan and the Westward Movement* has been the standard source on the life of this remarkable colonial Indian trader, land speculator, and Indian agent. Now Nicholas B. Wainwright, Editor and Research Librarian of the Historical Society of Pennsylvania, has supplemented, expanded, and on occasion corrected Volwiler's work. His welcome reassessment of Croghan is based not only on the colonial studies of the past three decades but also on a large collection of Croghan's personal papers discovered by the author in 1939 in the Pennsylvania Historical Society. *George Croghan, Wilderness Diplomat,* written with care and verve, illustrated with five excellent maps in the text and on the end papers, enriched by an informative bibliographical essay, will be of interest to the general reader and of considerable significance to the colonial historian.

Croghan came to western Pennsylvania from Ireland as a young man in 1741. Struck by the possibilities of the west, he plunged into a career of trading and land speculation in western Pennsylvania, New York, and the Ohio country. Official appointments to negotiate with the Indians only accelerated his activities for, acting on the apparently timeless principle that personal acquisition and government service go hand in hand, he used his positions unhesitatingly to further his plans for trade and land purchase. His scheming was as endless as his ability to attract financial backing; his optimism remained undimmed by the constant reverses caused by his own overambitious plans and the confusion of frontier conditions after 1741. Croghan died in 1782 without realizing any of his great land projects, but in the succeeding two decades soberer investors reaped a fortune from land he had held and lost.

A failure economically, Croghan was an unqualified success as a negotiator, and especially a peacemaker, with the Indians. Trusted and respected by the tribes, capable of outplotting and outmaneuvering both Indian and white around the conference fire and in the rum filled tents beyond, Croghan was, in the author's view, the most effective working diplomat the British had in the west between 1748 and 1771. Employed first by Pennsylvania, Croghan became Indian agent for Washington in 1754 and Braddock in 1775, and from 1756-1771 acted as deputy to Sir William Johnson, superintendent of Indian affairs. Neither changing policy and official niggardliness in London, nor conflicting interests in colonial capitals, nor danger on the frontier kept Croghan from his duties. The Index lists 33 conferences in which he took an influential part between 1748 and 1774. Between conferences he travelled almost constantly on Indian affairs, often paying the heavy expenses incurred out of his own pocket.

Mr. Wainwright has succeeded, through judicious discussion of character and motive and the use of selected quotes from Croghan's correspondence, to breathe life into the rather illusive figure of Croghan the man—extravagant, charming, energetic, unscrupulous. Equally important, the detailed discussion of Croghan's Indian negotiations indicates with a clarity no general account can achieve the tangle of difficulties which Briton and colonial alike encountered in trying to define and implement Indian policy.

Of a book as carefully prepared and written as this, criticisms are few. The author's style, usually clear and forceful, occasionally verges on the unnecessarily purple (as when Monckton's army " moved massively toward Montreal "); and unfortunately abounds in the use of that Madison Avenue favorite, finalize. For those not closely versed in Pennsylvania history, it is distracting to have individuals identified in relation to brilliant or base future careers without even a short footnote stating what these careers were. More important is the question of emphasis. The author intended, as stated in the Preface, " to focus on Croghan the man, avoiding digressions into background material now available in other books." While certainly a legitimate limitation in principle, this approach in practice tends to put all aspects of Croghan's Indian negotiations, particularly, on a level, failing to emphasize those which ultimately proved to be of more telling significance.

Rhoda M. Dorsey

Goucher College

Slavery: A Problem in American Institutional and Intellectual Life. By Stanley M. Elkins. Chicago: The University of Chicago Press, 1959. viii, 248. $4.50.

In this scholarly and very readable little book, Dr. Elkins, a teacher of social studies in the University of Chicago, has raised once more an old and familiar question, but one which scholars have always found difficulty in answering satisfactorily. "Why," the author asks, " was American slavery different from any other slave system, and why was the impact on Negro personality so severe and lasting?"

Dr. Elkins suggests that our slave policies began to take definite form about 1660 amid the tidewater plantations of Maryland and Virginia, spreading from there in due course to other parts of the south, where the plantation system came to exist. The slave system, in the institutional sense never developed fully in the north, although Negro bondage was to be found there for a time. As this author sees it, the American system of slavery thus began, expanded, and flourishd almost wholly within the society and economy related to the plantation, a point perhaps of considerable importance to keep in mind, especially with reference to certain parts of the south, where the plantation life did not tend to thrive.

Despite the vigorous assertions of its defenders in support of the alleged morality and righteousness inherent presumably in institutional slavery, Dr. Elkins holds that the system from the very beginning was much more evil than good. Socially and legally, for instance, it reflected a rigidity of structure and a harsh disregard for the Negro as a human being, unlike any other slave condition in history, past or contemporary.

Making use of historical conditions in colonial Maryland and Virginia, the author points to the fact that the local body of law—which grew up around the system—was in truth totally unsupported by English precedents, while contrariwise other local law generally was so supported. Yet the laws relating to slavery in these colonies came to define Negro status as that of mere chattel property, to be used practically without restriction by the owner of the same as he might see fit. In this sense, the Negro was not a human being with the spirit, instincts, and feelings of a man. Much less was he endowed with any civil or natural rights, or even the capacity for appreciating or enjoying these, because he was "property," not "man."

Tragically, too, in this legal and social concept there was no "escape clause," for the Negro, and his children, and children's children after him were condemned to bondage in perpetuity; and, ironically, it was only the master out of the goodness of his heart, rather than the law, that could decide to free the slave, if ever he was to be free. The irony in this situation increases, if one considers the fact that the slave system was developing in Maryland and Virginia at a moment when the laws relating to indentured servants were being written to protect the civil rights of these involved, and to make certain that they would gain complete freedom at the end of a fixed period of servitude.

Finally, the inconsistencies and viciousness inherent in slavery become all the more bewildering in colonial Maryland, where, it will be recalled, the tide of public sentiment for civil and religious freedom was already running strong by the middle of the seventeenth century. How, it might be asked, could a freedom-loving Maryland community rationalize and justify human slavery against such a background of social aspirations?

Dr. Elkins asserts, in dealing with that question, that racial distinctions had little, if any, real effect in bringing about the American slave system. He cites conditions in Latin America, where racial difference had failed utterly to produce the "Sambo" stereotype, so familiar here. Rather, our system was the result, he says, of the absolute dependence of slave upon master within the plantation type of society.

VERNE E. CHATELAIN

University of Maryland

Millard Fillmore: Biography of a President. By ROBERT J. RAYBACK. Buffalo: Published for the Buffalo Historical Society by Henry Stewart, Inc., 1959. xv, 470. $7.50.

The president we elect in November will be well-chronicled—on the air and in the press, in magazines, in books. The subject of this biography has waited for more than a century for adequate treatment. Millard Fillmore was the second man to succeed to the highest office on the death of the elected official. He served for nearly three years and later ran unsuccessfully for the same post. Yet only a campaign biography or two and an account by a lifelong political enemy until now told the story of the thirteenth president.

Mr. Rayback, who teaches at Syracuse University, has drawn on a large store of little used manuscripts in the Buffalo Historical Society in the preparation of this book. He has shown the development of a young politician in frontier New York State, the growth of a Congressman, a Vice-President at odds with the dominant faction of his party suddenly placed in the White House by Zachary Taylor's death, a President substantially helping to effect the Compromise of 1850 and silently sacrificing his hope for popularity and renomination to save the Union, and a civic leader in his city during the long years of retirement. For this treatment of a long neglected man and era, the author and the sponsoring Society have earned our gratitude.

The brief but vital service of John P. Kennedy as Secretary of the Navy and Fillmore's nomination in Baltimore as the Whig candidate for president in 1856 are worth note by Marylanders.

FRED SHELLEY

Library of Congress

Boston—A Topographical History. By WALTER MUIR WHITEHILL. Cambridge: The Belknap Press of Harvard University Press, 1959. xxxix, 233. $4.95.

Those who know and love Boston,—so similar in many respects to Baltimore—will greatly enjoy "Boston—A Topographical History," by Walter Muir Whitehill, of the Boston Athenaeum. The author utilizing only 198 pages (58 of which are well chosen maps and views, admirably reproduced by the off-set process), in a style worthy of an eighteenth century essayist, and with a liberal sprinkling of entertaining anecdotes and neat epigrams, summarizes the vast corpus of material concerning the metropolis of New England which has been gathered down the ages by its proud sons.

Boston has, like Baltimore, founded 99 years later, through unguided growth, fires and vandalism by politicians and others in whom public trust was placed, lost most of its earliest buildings. Baltimore, much smaller until well on in the nineteenth century, had far less to lose. The main parts of both cities are now predominantly nineteenth century, but the more varied and more interesting architecture of Baltimore and its amenities in general are shamefully neglected.

The John Hancock House was torn down in 1863 for an expansion of the State House which never took place, and the land was sold and modern buildings erected on it,—a shocking and pointless loss. Some years later when the church authorities wished to sell the Old South Meeting House the civic spirit of the Bostonians rebelled. In a whirlwind campaign they raised the then considerable sum of $400,000 and bought and preserved the historic and cherished building. This was the first instance in Boston (furnishing a then unheard of example to the nation), in which, says Mr. Whitehill, " respect for the historical and architectural heritage of the city triumphed over considerations of profit, expediency, laziness and vulgar convenience." Later the Society for the Preservation of New England Antiquities was formed. This, the first general preservation group, had no equivalent in Baltimore for many years during which it has done splendid work. A zoning law was enacted in Boston, long before Baltimore's—and was sympathetically enforced. An ordinance requiring the removal of over 90% of all advertising signs in Boston was upheld as constitutional by the Chief Justice of the Commonwealth in the name of " public decency."

When Baltimore, a museum of nineteenth century architecture despite its lamentable losses, shows like civic pride, the City will be a more delightful one in which to live. And when that time comes, Baltimoreans will demand a topographical history of their own. It is to be hoped that an author will then appear who will do for this city what Mr. Whitehill has done so well for Boston.

DOUGLAS H. GORDON

Baltimore, Md.

Proceedings of the Provincial Court of Maryland, 1678-1679 (*Archives of Maryland, LXVIII,* Court Series 13). Edited by ELIZABETH MERRITT. Baltimore: Maryland Historical Society, 1959. xiii, 303. $5.

This is a volume from the very experienced and capable hands of Dr. Elizabeth Merritt. It contains a complete transcript of the proceedings of the principal court of Maryland from 8 October 1678 to 16 October 1679 together with " A Contemporary Index." It also has a modern index and a table of cases. This is the fourth volume of Provincial Court Proceedings to have been edited by Dr. Merritt.

In the "Letter of Transmittal" to be found at the beginning of the book it is stated that " it was set directly from photostats of the original liber in the Land Office at Annapolis, and it reproduces, as exactly as a good modern press can do it, the contents of that manuscript book."

No comment is made in her interesting and very informative introduction by the editor on the condition of the manuscript, though she has unfavorable criticism of the work of the clerk of the Court, Nicholas Painter.

The present reviewer has made a close study of Liber Z and Liber PR and he is well aware of the problems of transcribing these first volumes of the State records, problems which were surmounted with great skill, and almost with complete success, by the first editor of these *Archives* three quarters of a century ago. Since those days, however, the science of palaeography and the art of printing have attained even higher standards of accuracy. The volume under review is well printed and bound; but the leaves should have been cut by the bookbinder.

The Provincial Court was one of first instance as well as of appeal. Its justices were unsalaried and mostly extensive landowners. Occasionally a justice acted as attorney for a client of the Court. No criminal cases were heard during the period covered by this volume. Much use was made of juries in civil cases. There is one example of an appeal from the Provincial Court to the Upper House of the General Assembly.

A very large number of cases were tried, some of them of great interest. Dr. Edward Husbands, the St. Mary's County chirurgeon, was jailed on an exceedingly strong suspicion of trying to poison members of the Lower House of Assembly on the evening of 8 November 1678 when some of them were taken ill after a meal of duck pie. He was eventually forbidden to continue the practice of medicine and ,for uttering threats and curses against the Assembly, ordered to be whipped on his bare back with twenty lashes by the common hangman.

ERIC MCDERMOTT, S. J.

Georgetown University

Juet's Journal. The Voyage of the Half Moon from 4 April to 7 November 1609. By ROBERT JUET. Newark: New Jersey Historical Society, 1959. $5.

Robert Juet, probably the mate on one or more of the *Half Moon*'s voyages, described the coast line of Virginia, Maryland including Chesapeake Bay, and Delaware, in August, 1609, before the famous little vessel reached the Hudson River. Juet's description is a simply written, straightforward account. In Juet's story, brief though it is, we can almost hear the splash of salt water against the sides of the sturdy *Half Moon* and feel the breezes relieve the hot, humid August air.

Our counterpart, the New Jersey Historical Society, published this little book as part of its observance of the 350th anniversary of the discovery of the Hudson River. The journal is available in a number of older editions, but this version in an attractive format should bring fresh and new attention to this voyage of discovery. The introduction by John T. Cunningham whets the reader's appetite and Robert M. Lunny's restrained but sensitive editing aids the landlubber as he reads of familiar places through early 17th century eyes.

FRED SHELLEY

Library of Congress

The Civil War Dictionary. By MARK MAYO BOATNER. New York: David McKay Company, 1959. xvi, 974. $15.

Comprehensive reference books for the student of the American Civil War are as rare as decisive battles in that war. Usually these works appear only once in a generation. Mark Boatner has provided such a source book that is worthy of his predecessors Heitman, Livermore, and Evans.

The *Dictionary* deals with the following areas of Civil War history: military and key political biographies, campaign summaries, and terminology. The latter will prove of great interest and assistance to the researcher. Such terms as "Swamp Angel" and the Gillmore Medal are defined concretely. Perhaps of greater import is the information given concerning the organizations of both armies. The heretofore amorphous military departments and small units like Terry's Rangers are defined. The campaign summaries are concise and yet provide all of the essential data. When authorities differ, Boatner presents both sides and attempts to resolve the inconsistencies. In conjunction with the campaign studies is an atlas of sectional and theater maps. These maps are of particular merit. The biographical sketches (there are over 2000) form the most valuable section of the book. Elusive names like Thomas G. Pitcher and Franklin Gardner become meaningful as Boatner provides information concerning their background, Civil War activities, and post-war pursuits. Actually the biographical section represents a synthesis of the classical studies of Cullum, Heitman, Evans, and others. Although uneven in quality this portion of the book represents the best Civil War biographical source available.

The primary criticism of Boatner's work is that it attempts to accomplish the impossible. A biographical guide to Civil War generals alone would constitute a lifetime project. The author's effort to compress three studies into one volume results in each section falling short of expectation. The great problem of organization inherent in such a task has been resolved in alphabetical form. Although this is often unsatisfactory, one can hardly conceive of a more workable solution unless it be separating the three sections; treating the biographical and terminology sections alphabetically and the campaign section chronologically.

The *Civil War Dictionary* stands, nevertheless, as a significant contribution. It is welcomed as a valuable aid for the Civil War historian and enthusiast. It has no rival.

N. C. HUGHES

Bell Buckle, Tenn.

Covered Bridges of the Middle Atlantic States. By RICHARD SANDERS ALLEN. Brattleboro, Vt.: The Stephen Greene Press, 1959. 120 p. $6.50.

Can a book on bridges, particularly covered ones, interest the general reader? By reason of the author's ability to communicate his own enthusiasm for the subject, Richard Sanders Allen is well qualified to write such a book. And no one who has read his first volume, *Covered Bridges of the Northeast*, will question his standing as the world's No. 1 authority and collector of them.

The attraction of bridges is rooted in the fact that unlike temples, skyscrapers or dwellings, they thrust themselves, in apparent defiance of the law of gravity, across swift water, deep chasms or crawling arteries of commerce, and succeed in taking us from one place difficult of access to another in perfect safety. And no matter how small or insignificant, as long as they stand they constitute monuments to man's defeat of the natural forces that clutch at his handiwork and try to pull it down. Yet their very function as a means of getting us from here to there puts limits on our interest, which usually concerns itself more with destinations than with the routes by which they are reached.

Although it was only the logical answer to the practical problem of preserving the bridges' bones from the effects of sun and rain, something magical happened when a cover was drawn over these heretofore bareheaded structures. They became houses, and as such, all the fascination of exploring an old house was added to the natural curiosity we feel for the works of these self-taught, back-country engineers, who

> Building for the carriage, never dreaming of the day
> When all of them would move without the motivating horse,
> The planks they laid for the Morgan's hooves now know
> the weight and feel,
> The whirr and worry, the hurry and scurry of the
> rubber-tired wheel.

Despite the architecturally subversive attempts of Frank Lloyd Wright to destroy "the box," this shape, more than any other devised by man, answers the human psychological need for containment. A covered bridge really is an open-ended, elongated box. It is the only type of which it may be said that we are in it, rather than on it. Its friendliness is not an illusion. The moment we enter, it is our host and hostel for the duration of our passage, and in its day that passage could be a rather lengthy one when there was a " $5 fine for any person riding or driving over this bridge faster than a walk."

The picture Mr. Allen gives us of the many bridges described in the text is no dreary mass of measurements and statistics, but a panoramic view of an irrepressible, expanding young America, faced with the necessity of flinging highways in every direction, and finding torrential streams, soaring mountains and broad rivers barring every path. Insuperable engineering problems that would have stopped the most talented of academically trained engineers threw down a gauntlet that was picked up by country carpenters and exmillwrights whose engineering was in the seat of their pants—who did not know " it coudn't be done." One, the great Theodore Burr, whose rugged design still dominates the standing bridges of the Middle Atlantic area, snagged contracts for three out of four of the authorized spans over the Susquehanna, added two more of these and tried for a sixth—all to be built at the same time! Here is a fine portrait in miniature of the man who, defying God himself, sent local Paul Reveres to ride the back country and round up every available volunteer for the task of shoving into place by hand, in the dead of an evil winter, the partly completed structure of a bridge threatened with imminent and sudden death by alternate thaws and ice jams. No wonder the proud Burr surveyed his finished handiwork, the 360 foot giant at McCall's Ferry—longest single-span wooden arch ever built in the world—and claimed that here was one bridge that " God Almighty can not move! " But ironically enough, the Almighty was listening, and it took Him less than four years to whomp up an unprecedented ice jam that ground it to pieces. We then meet Ithiel Town, the doughty little redhead, one of the world's first and most successful traveling salesmen, who tramped the Appalachian foothills from New England to Alabama selling his patented lattice truss bridge, and either erecting it himself or selling the right to erect it at $1 per foot royalty. And Lewis Wernwag, the German immigrant who began his career in this country as builder of mills, mill wheels and machinery, and did not design his first bridge until he was forty-one, yet succeeded so well in drawing the attention of the Philadelphia city fathers that they awarded him the contract for the great 340 foot Colossus across the Schuylkill. In his engaging fashion, Mr. Allen tells us how rumor began to circulate as the bridge neared completion, to the effect that Wernwag's brainstorm was being held up only by the scaffolding, and that the whole thing would collapse as soon as this was removed. The timid managers, tricked into inspecting the bridge while the falsework was still in place, found out to their consternation, when they were well out on the arch, that all the supports had been cut away. The bridge had actually been resting on its own abutments since the day before. From then on Wernwag's reputation was made.

The uninitiated tend to think of covered bridges as quaint fugitives from calendars and Christmas cards, built to take Old Dobbin into town on Saturdays. But as Mr. Allen explains, many of our country's longest covered bridges served the Iron Horse rather than the oatburner, and occasionally both. One such was the 900 foot rail and highway bridge at Harper's Ferry, finished in 1836. This was the bridge seized by John Brown and his men, and movingly described in Stephen Vincent Benet's *John Brown's Body*, part of which is appropriately reprinted here. This leads us into the great bridge-building era of the Civil War, when the North became adept at building bridges faster than the South could burn them down or blow them up. We are amazed to learn that the Union built more than 26 miles of bridges before the end of the conflict. And sturdy and adequate they were, despite Lincoln's humorous report that a 400 foot railroad span built by General Herman Haupt, the North's great engineering genius, contained " nothing but beanpoles and cornstalks." Wartime exigencies also brought about a reversal of the practice of covering bridges, when roofs and wooden sheathing made things too easy for guerillas and saboteurs.

If you have ever wondered how one goes about " collecting " covered bridges, Mr. Allen gives both the answers and the inducements in the latter half of the book, where the most important of the structures still standing are located, state by state. The author's descriptions should result in sparking little pilgrimages into the hinterlands to search out the glades and old mill sites where these relics of a bygone age still survive. Such expeditions will be richly rewarded with the excitement of discovery, the provision of a logical goal for what might otherwise be merely random ramblings.

Of especial interest to Maryland readers is the news that of the seventeen covered bridges in the state twenty years ago, more than half are still standing. The gem of these, and what may prove to be the finest example of a covered bridge anywhere in the country, is in Baltimore County on the Bunker Hill Road, between Maryland 45 (old Route 11 to York) and Prettyboy Dam. The beautifully preserved 110 foot span links Bunker Hill with an unspoiled little valley at a bend in the Gunpowder River to form a setting that could well be the composite of all the ideals of bridge collectors everywhere.

No less exciting than Mr. Allen's story is the abundance of superb photographs, prints and drawings, handsomely reproduced and dramatically integrated with the text. Particularly fascinating are the Civil War pictures, some of which have never before been printed. But just as enjoyable are the diagrams, demonstrating solution to problems we are prone to regard as strictly modern. How startling, for example, to see a drawing of a cloverleaf intersection, and learn that it was not devised by 20th century engineers, nor for superhighways and turnpikes, but nearly a hundred years ago, for mules to cross on towpaths without tangling their lines!

Impressive in text, illustrations, design, printing and binding, this is surely a must to own rather than simply borrow. There are altogether too few books as carefully put together as this one, and the Stephen Greene Press of Brattleboro, Vermont, is as much to be congratulated as the author.

L. B. HOLDRIDGE

Baltimore, Md.

On Chesapeake Shores. By ALBERT W. DOWLING. Richmond: The Dietz Press, Inc., 1959. 53. $3.

Mr. Dowling, a native of Rock Hall in Kent County, and a member of the English Department at Polytechnic Institute in Baltimore since 1937, happily combines the sensitivities of a poet with the keen observations of a waterman. Of the fifty-two poems included in this collection, the great majority of them are well-executed sonnets which pinpoint familiar but not well enough known Eastern Shore scenes. It is refreshing to find in our midst a man who can write of early spring in Maryland, a Chester River crabber, a bachelor farmer, and the glory of wild geese at night, without dipping into what is known as gobbledegook.

C. A. P. HOPKINS

Maryland Historical Society

NOTES AND QUERIES

Howard—On February 27, 1728, Edmund Howard, son of Joshua Howard of Baltimore County, married Ruth Teal. Information is requested about their daughter Rebecca and her husband Solomon Stocksdale.

ROWLAND G. WEBER
RD No. 1,
Malvern, Pennsylvania

Letters of John Dickinson—The Public Archives Commission of Delaware and the Friends of the John Dickinson Mansion, Inc. announce that they are collecting for eventual publication the Letters of John Dickinson. They would appreciate communication with them about any Dickinson manuscript known to our readers.

" Baltimore Looks Northward " by Jane Garrett. (Md. Hist. Mag., Mar., 1960). The following editorial was published in the Baltimore *Evening Sun*, Apr. 25, 1960, concerning Mrs. Garrett's article:

NORTHWARD HO!

> An ancient controversy may again be briefly revived when the latest contribution to the Baltimore-is-a-northern [or] southern-city argument reaches the eyes of veteran argufiers. The leading article in the latest issue of the Maryland *Historical Magazine*, entitled " Philadelphia and Baltimore, 1790-1840: A Study of Intra-Regional Unity," by Miss Jane N. Garrett, is a work of scholarly erudition and documentation, and it pushes the south family back below the Potomac.
>
> Miss Garrett denies the grits-and-magnolia-blossom school even the comforts of nostalgia. Baltimore and most of Maryland ceased being southern, she says, back in the Eighteenth Century, when the economy shifted from tobacco to grain. Since then, " a Middle Atlantic orientation must be acknowledged for Baltimore " and as the economy further shifted from an agrarian to a business basis, " the regional interdependence of the two cities " of Philadelphia and Baltimore became paramount. But the port is not the only standard of measurement. Account must also be taken of the long period in which Baltimore wholesale houses

had close relations with the South. Also of Baltimore's contribution to the Confederate Army.

While waiting (quite patiently) for the rival flags to begin waving, the truly modern Baltimorean may find himself guilty of a small smile. The Baltimore of the ever nearer future promises to be a study in unity, all right: economic, geographic, vehicular. As the coagulation continues, along the East Coast from Boston on down, it may envelop even the capital of the Confederacy, Richmond itself.

CONTRIBUTORS

JAMES HIGH is assistant Professor of Social Sciences in the University of California, Santa Barbara. He is a student of colonial Maryland history on which he has published many scholarly articles.

ELLA E. CLARK is assistant Professor of English at the State College of Washington. Her discovery of the hitherto unpublished manuscript on the C. & O. Canal not only sheds much light on its history but also is timely in view of the recent Congressional interest in the old waterway.

MARTHA S. POOLE is a student of local social history about which she has contributed several articles to the *Maryland Historical Magazine*.

RICHARD M. GUMMERE, formerly a member, now retired, of the Harvard University Faculty, is an outstanding classical scholar by which means he arrived at his interest in Jonathan Boucher, a "first-rate" early American classical scholar.

MARYLAND HISTORICAL SOCIETY

Report for 1959

REPORT OF THE PRESIDENT

THE reports of the officers and committees of the Society touch upon many phases of the Society's work during the preceding year, which was unusually busy and productive. The older standing committees continued their effective work, and the new ones, the Women's Committee of which Mrs. William W. Symington is chairman and the Special Projects Committee, Chairman C. A. Porter Hopkins, made notable contributions to the Society's activities. The steamboat cruise arranged by the last named group was profitable and brought out many interesting sidelights on the Bay through the panel discussion led by Dr. Reginald V. Truitt.

Our director supervises ably the general operations of our Society. His activities included a four-month stay in England last summer doing fruitful research relative to the life of George Calvert, first Lord Baltimore. During his absence our assistant director, Harold R. Manakee, also head of War Records and Road Markers Committee, carried on efficiently.

Vice President J. Gilman D'Arcy Paul and Laurence H. Fowler assist in numerous ways in the operations of our Society, giving special attention to matters of art in cooperation with the Gallery Committee of which John H. Scarff is chairman and Miss Eugenia Calvert Holland is assistant.

Our other Vice President Jacob France, also Chairman of the Finance Committee, has been very generous with donations and indefatigable in strengthening our financial structure. His committee stresses the urgent need for much increase in our income and endowment because we are privately financed and owned and receive no public funds for our general expenses. We receive nothing from the State of Maryland except small amounts as actual reimbursement for money expended by us in handling certain specific projects for the State. We receive no money from the City of Baltimore for numerous public services rendered by us, especially to the city's schools.

Samuel Hopkins as Treasurer has greatly improved the system of keeping financial records and handling funds of our Society, aided materially by the competent Miss Martha Bokel, Office Manager. Corresponding Secretary William B. Marye has for years given devoted attention to historical research and Recording Secretary W. Hall Harris, Jr., assists in administrative matters.

The Chairman of Trustees of the Athenaeum, Lucius R. White, supervises our real estate properties which have been added to slightly during the year.

Our Membership Committee under the leadership of Chairman Charles P. Crane is securing excellent results. The long experience and wide contacts of Chairman John E. Semmes are invaluable in securing speakers for our meetings.

Mrs. Frank F. Beirne guides the work of our Committee on Relations with other Societies, the scope of whose functions is steadily widening. We have taken a keen interest in the organization and development of county historical societies, on occasion serving as intermediary in such endowment grants as that of Thomas S. Nichols, of our Finance Committee, to the Dorchester County Historical Society.

The Publication Committee of which Dr. Charles A. Barker is Chairman has increased carefully its publications. Our magazine edited by Dr. Richard Walsh continues to receive much favorable comment. Our Maritime Committee of which G. H. Pouder is Chairman assisted ably by R. H. Randall, R. Hammond Gibson and others, is developing our Maritime Museum. Our Library Committee of which G. Ross Veazey is Chairman and John Kilbourne, Librarian and Miss Hester Rich assistant, is in charge of our numerous and valuable books and manuscripts which are in urgent need of large expenditures for their preservation and utilization. Judge Calvin Chesnut is head of our Education Committee.

The scholarly Miss Elizabeth Merritt is now working on the current volume of State of Maryland *Archives*, a series which we have been editing for nearly eighty years.

We are grateful for membership dues and contributions toward our expenses and for the greatly needed enlargement of our endowment funds. Meanwhile we are receiving almost daily donations, occasionally augmented by purchases, to our collections which are varied in nature and very valuable, and increasingly used by scholars and the general public. A recent addition was the famous collection of papers of Benjamin H. Latrobe, the architect and engineer. We already had many of his papers.

Our 116-year-old society is seeking zealously to find ways of increasing our usefulness. We are grateful for your generous support, and we ask that you continue to help us to serve better our members and the public.

George L. Radcliffe, *President*

REPORT OF THE DIRECTOR

The size of the staff for the first time in the experience of the undersigned was nearly adequate to the current load the Society attempts to carry. I am happy to report that there is also a high level of competency.

Accessions during the year, as reported below, were gratifying. The outstanding feature was, of course, the acquisition of the Benjamin H. Latrobe papers, including sketchbooks, journals and letterbooks, altogether the largest body of Latrobe materials in existence. Together with the significant group of B. H. Latrobe papers already here and the outstanding collection of papers and sketches of Latrobe's eldest son, John H. B. Latrobe, both presented by members of the Latrobe and Semmes families over a period of fifty years, this accession establishes the Society as the principal headquarters for study of the contributions of this talented family. It is regrettable that until the papers newly received can be microfilmed and put in proper repair, they cannot be exhibited or made available for research. To the many contributors to the fund by which these papers were acquired the Society is gratefully beholden.

The functioning of two new committees whose reports are listed below —the Women's Committee and the Special Projects Committee—has greatly strengthened the Society's work.

The Society was privileged to offer its hospitality and in other ways cooperate with a large number of societies and special groups through meetings, talks, exhibitions and advice. The continuing work with schools includes a heavy schedule of guided tours of the building by classes under the general management of Mr. Manakee and with the assistance of guides from the Junior League of Baltimore. In addition, talks were given at various schools during the year and an expanded program of leaflets and other printed materials for schools was planned.

Inability to finance a complete program of community service and cooperation in the field of history has long been the Society's major difficulty. The plain fact is that in this time of expanded interest in American history and the obvious re-appreciation of our heritage, shown in almost every field, such an organization as ours has unlimited opportunities. That we are unable to seize many of these is regrettable. On the other hand, we are grateful for the widening support of our work on the part of the public, as shown by a membership of 3300 and by many handsome gifts and legacies. The bequest of Miss Elizabeth Chew Williams, amounting to approximately $200,000, though not yet received, was the most gratifying gift of recent years and affords promise of improved service on the part of the Society.

The Director was granted by the Council the unusual privilege of spending several months in England last summer in order to pursue his study of the life and career of the first Lord Baltimore. His investigations in the great libraries of London and many libraries and archives in the counties resulted in the assembling of much new material. While this study was undertaken under a grant from the American Philosophical Society and with aid from Mr. Jacob France, for both of which I am grateful, I again wish to express my appreciation of the interest of the Council and the support of the staff, especially of the assistant director, Mr. Harold R. Manakee, who carried on effectively the usual heavy schedule.

JAMES W. FOSTER, *Director*

REPORT OF THE TRUSTEES OF THE ATHENAEUM

During the past year the entire modern wing, including the Library and art gallery, has been air-conditioned for the comfort of the public and for the better preservation of books, manuscripts and pictures. This has also resulted in a greater use of our facilities during the warm months.

The Cohen Room and the Carter-Lehr Room were both redecorated last summer and new lighting fixtures were installed in the former.

The Society's properties on Monument Street west of the main building are all in good condition and occupied by tenants.

LUCIUS R. WHITE, JR., *Chairman*

REPORT OF THE COMMITTEE ON THE GALLERY AND MUSEUM

The year was marked by the acquisition of several distinguished collections, notably the group of portraits, furniture, silver, porcelain and jewelry of the Patterson and Smith families, presented by Mrs. Andrew Robeson, and sketchbooks of Benjamin H. Latrobe, the architect. The latter are to be retained as an integral part of the Latrobe Collection, the remainder consisting of notebooks and letterbooks of Latrobe, which are library materials. Other important accessions were the Howard and Key items from the estate of Miss Julia McHenry Howard; miniatures, silver, glass and porcelain from the late Mrs. Breckinridge Long; mahogany pieces, porcelain snuff boxes and figurines, and silver from Mrs. Richard B. Darnall; early American silver tankard from Mrs. DeCourcy W. Thom; English tankard and various other silver pieces from anonymous donors; portraits, china, and lighting fixtures from Mrs. Anne V. McKim. Other valued items, bringing the number of accessions to 1,070, from 143 donors, were received.

Principal exhibitions were the joint showing at the Baltimore Museum of Art of portraits and silver, commemorating the important contributions of the late Dr. J. Hall Pleasants, and "The History of Baseball in Baltimore" at the Society's headquarters. Other displays were those of the silver of the battleship *Maryland*, the Washington Monument papers, the War of 1812, the 350th anniversary of Queen Henrietta Maria's birth, Christmas toys and dolls, and recent acquisitions.

The Society was included in the tour of the annual House and Garden Pilgrimage when members of the Women's Committee kindly acted as hostesses to hundreds of visitors.

The Cohen Room and the Carter-Lehr Room were both redecorated and refurbished. The Council took a long contemplated step when it authorized the installation of summer air-conditioning for the Society's gallery and library. This is important for the better preservation of portraits and furniture in the Main Gallery, as well as for the comfort of visitors and staff.

Demands on the Society for the loan of museum materials in increasing. The following in 1959 borrowed important materials from the Society: Historic Annapolis: Maryland Society, Colonial Dames of America; Hampton National Historic Site: Star-Spangled Banner Flag House; U. S. Post Office Department; Baltimore Museum of Art; Cathedral Church of the Incarnation; Eastern High School; Peabody Institute: Milwaukee Art Center; Towson Library; C. and P. Telephone Co.; Virginia Museum of Fine Arts, Hochschild, Kohn & Co., and several TV stations.

Members of the Baltimore Junior League have generously served as guides in showing school classes and other groups through the exhibition rooms, while members of the Women's Committee have acted as hostesses for many special events.

The museum staff of the Society is increasingly called upon for study of and reports on objects privately owned. This is a community service given gratis, as in the case of most museums, although it entails heavy demands upon the time of various members of the staff. Though burdensome, conferences on museum materials sometimes produce additions to the Society's collections by gift or otherwise.

JOHN H. SCARFF, *Chairman*

REPORT OF THE COMMITTEE ON THE LIBRARY

Personnel of the Library at the year's end included the undersigned, librarian, Miss A. Hester Rich, assistant librarian, Dr. Elizabeth Merritt, indexer, Miss Elizabeth Hart, library assistant, and Mrs. Forrest W. Lord, secretary. Mr. F. Garner Ranney in June accepted a position with the Peale Museum and Miss Hart was then employed as a part-time assistant. During the summer Mr. David G. Fischer was also a temporary assistant. Miss Louisa M. Gary has continued as manuscript restorer. The able volunteer services of the following have been of outstanding aid in the functioning of the Library: Mrs. William F. Bevan, Miss Mary C. Hiss, Miss Edith V. Thompson, Miss Florence R. Kelly, Mrs. G. H. Pouder, Miss Eliza Funk, and Mrs. Kenneth A. Bourne.

During the year 441 lots of material were accessioned, of which 84 were manuscripts, 30 of mixed nature (books, manuscripts, photographs, etc.), and the remainder were bound volumes. Owing to the constantly increasing use of the Library and the shortage in staff, no attention to the indexing of new material was possible. The summer work of Mr. Fischer was the arranging and housing of manuscript collections received in past years, and the arranging and indexing of the map collection. The resultant convenience in making these records more accessible is a marked gain.

Important among the year's manuscript accessions were: additional papers of the de la Roche family of France and Maryland, 1803-1863; a manuscript volume of surveys of real estate belonging to the Baltimore Company, c. 1810; a similar volume containing a resurvey of boundaries and lots of George Town, Kent County, 1787; additions to the Patterson-Bonaparte papers, consisting of accounts of Elizabeth Patterson Bonaparte's French pension and other financial interests, a letterbook of Jerome Napoleon Bonaparte, 1863-1870, and memoranda, notes and related documents. Mr. Randall's contribution of a Maryland maritime index is also notable. This index consists of a card file of the names of ships associated with the Chesapeake Bay from 1584, and contains some 5000 entries. Accompanying the index is a glossary of nautical terms relating primarily to Maryland. In another field of interest may be mentioned the gift of letters of William Wilkins Glenn, a Baltimore editor. These letters relate to his arrest and banishment during Civil War days, and illustrate graphically the difficulties inherent in the delicate balance of sentiment in Baltimore at that time.

Manuscripts from the estate of the late Miss Julia McHenry Howard were of special interest. They included interesting Key and Howard family documents and have been described in *Maryland History Notes* for November, 1959. An interesting collection of Latrobe and Brown papers including a manuscript "Dancing Book," done by Julia E. Latrobe c. 1812, with illustration and introduction by her father Benjamin H. Latrobe, was the gift of Mrs. Adrian Onderdonk.

Satisfactory progress can be reported in the field of document restoration and conservation. The capable services of Miss Gary were regularly employed throughout the year. Some of the documents upon which attention was focused were: rent-rolls, tax lists and land papers from the Scharf collection; the rolls of the Federal direct tax of 1798; portions of the Society's collection of Revolutionary War pay- and muster-rolls; and many single and miscellaneous items from the manuscript and broadside collections.

Two hundred and fifty-one lots of books were accessioned, totaling 497 items. Nine hundred and sixty-one volumes were catalogued, as compared with 833 during 1958. This gain was made possible by releasing Miss Rich almost entirely from reading-room attendance. The cataloging represents all new items added to the Library, and numerous publications already in hand from the backlog. Attention is now being paid to the printed genealogical materials, which have never heretofore been catalogued. The genealogical guides and general source materials are now almost completely catalogued.

Only 103 volumes were bound or rebound. This was due primarily to the fact that the Society's regular binder went out of business, with a resultant over-load on this city's only remaining library binder. Also, the smallness of the staff inevitably curtailed the bindery program. Because of these facts, only a little progress could be made in reducing the very large backlog of books needing bindery attention.

Some notable accessions of books were: Shaw and Shoemaker, *American Bibliography* . . . , in five volumes, marking the first attempt to continue the chronicle of American publishing past the terminal date (1800) of Evans' *American Bibliography*. Interesting primarily because of its associations is the volume of Thomas Hearne's edition of *Guilielmi Neubrigensis, Historia, sive Chronica rerum Anglicarum* . . . , published at Oxford in 1719. The book contains the bookplate of the Hon. Benedict Leonard Calvert, second son to Benedict Leonard, Fourth Lord Baltimore. Hearne and young Calvert were intimate friends whose association is discussed in the *Maryland Historical Magazine*, Volume 3. Two large additions to the genealogical section came with the gifts of Dr. J. Ben Robinson and of the estate of Carl Ross McKenrick. Worthy of mention also is the acquisition of a copy, probably unique, of *The Shorter Catechism* . . . , printed by M. K. Goddard, Baltimore, in 1782. Until the presentation of this imprint by Mr. Robert S. Nyburg, no copy was known.

Additions of prints, photographs, and architectural drawings were also received. The largest accession in this general category was the more than 1600 colored slides of Maryland houses and gardens given by Mrs.

Blanchard Randall. Another large collection of slides was presented by the Pratt Libary which discontinued use of 3½" x 4" glass slides. These are also of Maryland scenes. A check list of parish records of Maryland and their locations, for all denominations so far as information can be found was made by Miss Hart and will be extended as occasion arises.

A record of Library attendance was begun for the first time on January 1. The total number of visitors was 3,178. This was in addition to the thousands of individuals and organizations who requested information by mail or telephone.

JOHN D. KILBOURNE, *Librarian*

I join in signing this as a matter of form. Most obviously the credit for this careful report is due to Mr. Kilbourne.

G. ROSS VEAZEY, *Chairman*

REPORT OF THE COMMITTEE ON FINANCE

The duties of your Committee on Finance are to advise the Society in the management of its overall finances and the investment of endowment funds given or left to the Society by members and friends to provide facilities and income to keep alive the historical and cultural development of Maryland.

Your Committee believes strongly that the Society's expenses should be kept in line with income. It also seeks to increase income because it believes good use can be made of more money.

In managing the Society's investments, your Finance Committee seeks to obtain the best current income that can be produced by prudent management. We also seek reasonable growth of both principal and income.

The increase in the book value of the Society's endowment since 1956, shown in the following table, is due to gifts, legacies and gains realized on sale of securities.

Book Value of Endowment Investments, Net Endowment and Trust Income and Income from Dues and Contributions

	1959	*1958*	*1956*
Book Value of Endowment	801,308	814,714	482,789
Net Endowment and Trust Income	38,730	33,088	26,385
Dues	26,509	27,847	17,072
Contributions for Operating Expense	667	1,923	3,050

Your Committee believes that in 1960 special emphasis should be given to increasing income from dues and contributions.

JACOB FRANCE, *Chairman*

REPORT OF THE COMMITTEE ON PUBLICATIONS

On behalf of the Committee on Publications, I beg to report that the three series-publications of the Society were carried on along the customary lines during the calendar year 1959. The Committee is more than happy with the product in each case: the four issues of the *Maryland Historical Magazine*, edited by Dr. Richard Walsh and assisted by Mr. C. A. Porter Hopkins; The *Maryland History Notes* edited by the Director of the Society, Mr. Foster; and vol. 68 of the *Maryland Archives*, the proceedings of the Provincial Court, 1678-1679, edited by Dr. Elizabeth Merritt.

Dr. Merritt called the attention of the committee to the fact that she must some day retire as editor of the *Archives*. It is very desirable to consider the question of her successor, so that there will be a continuity of policy. Dr. Pleasants, who preceded her as editor, had the matter on his mind for years before he retired. Messrs. Walsh and Hopkins raised a second question of personnel need. A good copyist, a typist who would like to be trained in transcribing manuscripts, and would have time for that duty, is badly needed on the Society's staff for the work of the *Magazine*, they report; and your Committee recommends that such an appointment be made.

The Society published no new books in 1959. The sales of earlier publications have been gratifying, however, and we are pleased to learn from the Treasurer that the publications fund carries a surplus. The Committee thinks that the next year or two, the sooner the better, will be an appropriate time to publish the edited text of one or more of the Society's Civil War manuscript diaries or collections of letters. If a favorable opportunity presents itself, that is, if an editor appears who is ready to edit important manuscript material, we will recommend that a commitment to publish be offered.

Your Committee again recommends the publication of a Guide to the Manuscripts in the Library of the Maryland Historical Society. This brings us close to matter formally outside the Committee's responsibility, but one on which we have expressed ourselves before, the desirability of establishing a Manuscripts Division in the Society. We think that the prior need in implementing that policy is the appointment of a full-time professional Curator of Manuscripts (whether using that title, or some other title such as Associate Librarian in charge of Manuscripts). Although we favor some rearrangement of plant as part of setting up the new division, Mr. Foster and his colleagues of the staff persuade us that this will probably need to wait the construction of the new building. No decision to delay that part of the undertaking, however, should delay also the Guide to the Manuscripts we think; and we think that the appointment of a curator is the first and essential step toward getting to work on the Guide.

Professor Rhoda Dorsey, of the History Department of Goucher College, has accepted appointment to this Committee; and her membership rounds out the most academic of the Society's committees to include members of the faculties of Goucher, Hopkins, and the University of Maryland.

Charles A. Barker, *Chairman*

REPORT OF THE COMMITTEE ON MEMBERSHIP

January 1, 1959			
Honorary Members	4		
Life Members	63		
Active Members	3024	3091	
New Members gained in 1959:			
Life Members	7		
Active Members	237	244	3335
Members lost in 1959:			
Death—Honorary	1		
—Life	4		
—Active	56	61	
Resignations—Life	1		
—Active	284	285	346
NET MEMBERSHIP DECEMBER 31, 1959			2989

Honorary	3
Life	65
Active	2921
	2989
New members since Jan. 1, 1960	205

Charles P. Crane, *Chairman*

REPORT OF THE COMMITTEE ON ADDRESSES

Meetings of the Society's members during the calendar year 1959 were as follows:

January 12—Joint meeting of the Society and the Society for the Preservation of Maryland Antiquities. Speaker: Mr. Charles C. Wall, resident director of Mount Vernon. Topic: "Mount Vernon, Its Message and Its Problems." Illustrated.

February 9—Annual Meeting. Mr. Frederick S. DeMarr, assistant dean at the University of Maryland, substituting for Dr. Barker whose talk previously scheduled for this meeting was postponed, spoke on religious denominations in Maryland.

February 19—Joint meeting of the Society and the English Speaking Union, Maryland Branch. Sir John Wedgwood, Bart., was the speaker. Topic: "The Wedgwood Story." Illustrated.

February 25—"Sutro's Wednesday Evening." Planned and largely underwritten by Miss Ottilie Sutro, daughter of Mr. Otto Sutro, founder of the "Wednesday Club." Informal evening of music.

March 6—Count René de Chambrun, great great grandson of Lafayette, gave an informal address on Lafayette's Maryland associations and the Lafayette Papers.

April 7—Mr. James H. Bready of the *Sunpapers* spoke at a meeting held to mark the opening of the exhibition "100 Years of Baseball in Baltimore."

May 4—Dr. Charles A. Barker, chairman of the Committee on Publications and Professor of American History at the Johns Hopkins University. Topic: "The Historical Society Makes History."

September 24—Sir Allan Chalmers Smith, Bart., a Justice in Bermuda, gave an illustrated address on early relationships between Bermuda and the Chesapeake colonies.

November 23—Mr. Lenoir Chambers, editor of the Norfolk *Virginian-Pilot*, and author of a life of Stonewall Jackson, spoke on Jackson and his association with Robert E. Lee.

In the afternoon series, the first lecture, on January 20, was given by Mr. Mendel L. Peterson of the Smithsonian Institution. His topic was "Underwater Exploration of Shipwrecks." At the second lecture, on February 17, Dr. Alfred P. Maurice, director of the Maryland Institute, spoke on "The Flowering of American Print-Making Culminating in Currier & Ives Lithographs." Both of these lectures were illustrated.

JOHN E. SEMMES, *Chairman*

REPORT OF THE COMMITTEE ON WAR RECORDS

During 1959 the War Records Division completed the alphabetizing of the carbon copies of the separations from service of Maryland's 250,000 World War II Veterans. Work began on the preparation of a printed register of these veterans' names.

Photostats of these papers are in some demand by interested individuals and by authorized government agencies.

JOHN T. MENZIES, *Chairman*

REPORT OF THE COMMITTEE ON EDUCATION

The Committee was elected under the revised Constitution of 1947 to meet the need for speakers to address meetings of school groups and other organizations when calls were too numerous for the officers and staff of the Society to handle. The Committee has endeavored to carry on this work, although in the last year calls have been less frequent owing to the activities of the Special Projects Committee and the enlarged staff of the Society.

A vacancy on the Committee was filled by action of the Council with the appointment of Dr. Thomas G. Pullen, State Superintendent of Schools.

The Committee did not find it necessary to hold a meeting during the year just ended.

W. CALVIN CHESNUT, *Chairman*

REPORT OF THE COMMITTEE ON RELATIONS WITH OTHER SOCIETIES

The principal work of the Committee in 1959, as in the previous year, was the planning of the all-day conference of historical societies in Maryland on October 31. The various sessions were held at the Society's headquarters and luncheon was at the Stafford Hotel. Seventy-eight persons attended the conference and heard discussions on Maryland's commemoration of the Civil War.

The Society's relations with the various patriotic societies continue to be close and, it is hoped, profitable on both sides. Meetings of other groups at the Society's headquarters included the Society of the Cincinnati of Maryland, Maryland Society of Colonial Dames, the Ark and the Dove, Woman's Eastern Shore Society, and Chapter I, Colonial Dames of America.

Two new county historical societies have been formed: Baltimore and

Worcester, bringing the total of county societies in Maryland to 20. Of these, five societies maintain affiliate memberships with this Society under a system of joint dues. There are frequent consultations between the officers of the county societies and the officers and staff of our Society. Talks were given by the president and members of the staff in various parts of the state before county historical groups.

ROSAMOND R. BEIRNE, *Chairman*

REPORT OF THE COMMITTEE ON THE MARITIME COLLECTION

The principal gain of the year was the completion of the catalog of the collection and its classification by types of material in 17 categories. This meticulous undertaking was carried out with skill by our acting curator, Mr. R. H. Gibson, with the result that we now have duplicate written records of the 1,500 items of maritime interest in our care. This is in addition to the records of accessions which have always been kept in order by the Society, and our inventory card file. Headway was also made in organizing information files and storing study materials.

A card index of about 5,000 entries of names of vessels entering the Chesapeake Bay from earliest times to the present was presented by Mr. R. H. Randall who compiled it over a period of many years. This comprehensive file forms a permanent addition of great value to the study materials of our local maritime history.

Other important gifts were the rigged model of the steamer *Joppa*, constructed and presented by Mr. August Mencken, his fourth. From Mr. Gibson came a fine model of the clipper ship *Mary Whitridge*, the eighth presented by him. Glass cases for both of these models were supplied by the donors, and a stand as well was given for the *Mary Whitridge*. The model of a whaleboat with complete gear was given in memory of the late J. Valentine Muller by Mrs. Muller of Easton. Thanks to the efforts of Mr. H. Graham Wood and the Maryland Port Authority, the Society received the builder's and re-builder's plates from the icebreaker *F. C. Latrobe* and the nameboard, builder's and engine builder's plates, binnacle light, steam whistle, and various other pieces of equipment from the icebreaker *Annapolis*; together with an oil painting of the schooner *Lucille*. The city of Baltimore presented the 14 pieces of the Kirk silver service made for the armored cruiser *Baltimore* and presented in 1890 to that ship. Four large pieces of whalebone, bearing scrimshaw designs were presented by Miss Miriam H. Burch.

The *Monkey*, an actual log canoe 20 feet long, complete with mast, sails, and equipment was presented in memory of G. Raymond Ziegler of

Cambridge by members of his family through Miss Barbara Ziegler of Baltimore. The craft is being maintained gratis for the Society until such time as our museum can accommodate it. A replica of the plaque carried by the U. S. S. *Nautilus* on her cruise under the North Pole was presented by Commodore I. M. Poss, representing the Boy Scouts of America.

Preliminary planning for the building to house the maritime museum along with other exhibition areas and an auditorium has been under consideration. The acting curator has inspected many of the 27 nautical museums on the Atlantic Coast and has listed the space requirements for full development of our collection, including a chronological scheme of displays on the main floor. Further discussions on this subject will continue as the needs become clarified through day-to-day experience.

The thanks of the chairman of this Committee and other officers of the Society are due to the various members of the Committee who have assisted in building up the collection to its present strength. Particular notice is given to the competent and devoted service of Mr. R. Hammond Gibson.

G. H. Pouder, *Chairman*

REPORT OF THE WOMEN'S COMMITTEE

The Women's Committee of the Maryland Society has endeavord to assist the staff when help of its members was needed. Hostesses were provided for special tours, school tours, and evening meetings, as well as registrars for the Third Annual Conference of Historical Societies. Speakers were entertained at private luncheons, and flowers were provided for special occasions.

On November 12, 1959, the Women's Committee sponsored a tea for new members of the Maryland Historical Society.

Eight members of the Committee volunteered to fill staff requests for library work—filing, typing and chauffeuring assistance.

One member has worked with the Amateur Gardeners' Club, and reports the garden in good shape.

An old lace collection has been inaugurated, with Mrs. George Weems Williams as chairman.

During the year the Director and other members of the staff addressed meetings of the Women's Committee to acquaint the members with the details of various activities of the Society.

Mrs. W. Wallace Symington, Jr., was elected Chairman of the Committee on January 21, 1960, succeeding the undersigned.

Gladys W. Keyser

REPORT OF THE SPECIAL PROJECTS COMMITTEE

This Committee was formed in the fall of 1958 by a group of younger men interested in promoting the interests of the Society. The main effort of 1959 was the sponsorship of the cruise, " A Day on the Bay," which attracted over 700 people and netted the Committee $1,500. One thousand dollars was subsequently presented to the Society for the Latrobe fund, the remainder being kept for promotional measures which might from time to time come up.

In addition a speakers' committee was formed of members of the Special Projects Committee and is now functioning as an aid to the staff of the Maryland Historical Society. Several members of the Committee have also donated additional gifts of manuscripts and money. For the support and interest of the Committee, the chairman is grateful.

C. A. PORTER HOPKINS, *Chairman*

REPORT OF THE TREASURER

STATEMENT OF OPERATIONS—GENERAL FUND

for year ended December 31, 1959

Income

Dues		$26,509.50	
Contributions		667.00	
Investment Income, etc.			
Endowment Fund	$ 9,164.25		
Daingerfield Fund	7,850.99		
Wild Fund	3,728.79		
Other	1,807.58		
	$22,551.61		
Less Commissions	$ 1,050.75	$21,500.86	
Rental Income			
209-11 West Monument Street	$ 2,219.00		
213 West Monument Street	4,468.50		
219 West Monument Street	4,247.96		
614-16 Park Avenue	9,450.00		
War Records Division	840.00	$21,225.46	
H. Oliver Thompson Estate	$ 1,541.96		
J. J. Cook Estate	660.78		
Publications	3,880.69		
Library Fees	231.66		
Miscellaneous Income		123456......12345665	
			$76,509.22

Expenditures

Rental Property Expense	$ 6,198.82	
Maintenance and Repairs	623.67	
Building Supplies	1,015.48	
Heat, Light and Power	3,877.23	
Insurance	3,544.22	
Equipment Replacement	125.00	
Salaries	46,404.79	
Social Security Expense	1,501.44	
Publications and Periodicals Expenses	14,719.07	
Library Purchases—Books and Manuscripts	1,041.80	
Binding and Other Repairs	1,478.55	
Library Supplies	584.99	
Membership Extension	228.75	
Addresses	1,390.45	
Office Supplies	1,213.45	
Telephone	1,183.13	
Postage	392.48	
Gallery Expense	1,788.02	
Depreciation	28.50	
TOTAL EXPENDITURES		$87,339.84
EXCESS OF EXPENDITURES OVER INCOME		$10,830.62

BALANCE SHEET—DECEMBER 31, 1959

Current Fund Assets

Current Assets			
Cash in Bank		$ 8,718.53	
Petty Cash		100.00	
TOTAL CURRENT ASSETS			$ 8,818.53
Fixed Assets			
Real Estate		$143,332.24	
Books		1.00	
Manuscripts and Prints		1.00	
Paintings and Statuary		1.00	
Furniture and Fixtures	$286.00		
Less Depreciation to Date	256.50	29.50	
Air Conditioning System		7,350.00	
TOTAL FIXED ASSETS			$150,714.74
TOTAL CURRENT FUND ASSETS			$159,533.27
Restricted Fund			
Cash			$ 18,615.65

Endowment Fund Assets		
Cash Corpus	$ 1,705.68	
Cash Deposit—Baltimore Equitable Society	90.00	
Mortgages Receivable	45,844.63	
Real Estate	316,614.76	
Due from General Fund	28,595.04	
Bonds	35,971.92	
Stocks	151,710.48	
Ground Rents	666.66	
TOTAL ENDOWMENT FUND ASSETS		$581,199.17
Daingerfield Fund Assets		
Cash Corpus	$ 375.52	
Bonds	65,869.04	
Stocks	90,865.09	
TOTAL DAINGERFIELD FUND ASSETS		$157,109.65
Wild Fund		
Cash Corpus	$ 527.71	
Bonds	29,081.87	
Stocks	32,083.30	
Ground Rent	1,307.00	
TOTAL WILD FUND ASSETS		$ 62,999.88
		$979,457.62
Current Fund Liabilities		
Current Liabilities		
Due to Endowment Fund	$ 28,595.04	
Special Fund Account	17,935,64	
TOTAL CURRENT LIABILITIES		$ 46,530.68
Other Liabilities		
Deferred Credits		$ 1,020.79
Net Worth		
Surplus		$111,981.80
TOTAL CURRENT FUND LIABILITIES and NET WORTH		$159,533.27
Restricted Fund		
Restricted Fund Surplus		$ 18,615.65
Endowment Fund		
Endowment Fund Reserve	$581,199.17	
TOTAL ENDOWMENT FUND		$581,199.17

Daingerfield Fund		
Daingerfield Fund Reserve	$157,109.65	
TOTAL DAINGERFIELD FUND		$157,109.65
Wild Fund	$ 62,999.88	
Wild Fund Reserve	$ 62,999.88	
TOTAL WILD FUND		$ 62,999.88
		$979,457.62

STATEMENT OF ENDOWMENT FUND RESERVE
DECEMBER 31, 1959

Balance—January 1, 1959			$573,225.04
Add			
Life Memberships and Other Payments		$ 1,765.00	
Received from			
Jacob France	$ 4,998.00		
Estate of Florence J. Kennedy	10,511.19		
Estate of V. G. Wilson	180.62		
Estate of Helen M. Dennis	882.00	$16,571.81	
Gain on sale of Securities		2,912.51	$ 21,249.32
			$594,474.36
Deduct			
Write-Off of Receivable from Special Funds		$ 5,000.00	
Commissions paid to Fidelity-Baltimore National Bank		325.19	
Adjustment for over-valuation of Securities Donated to Society during 1958		7,950.00	$ 13,275.19
Balance—December 31, 1959			$581,199.17

We have examined the Balance Sheet and related Statement of Operations of the Maryland Historical Society, Baltimore, Maryland as of December 31, 1959. Our examination was made in accordance with generally accepted auditing standards and accordingly included such tests of the accounting records and such other auditing procedures as we deemed necessary.

In our opinion, the accompanying Balance Sheet and related Statement of Operations fairly present the financial position of the Maryland Historical Society at December 31, 1959, and the result of operations for the year then ended, in conformity with generally accepted accounting principles on a basis consistent with that of the preceding year.

ROBERT W. BLACK
Certified Public Accountant

March 4, 1960

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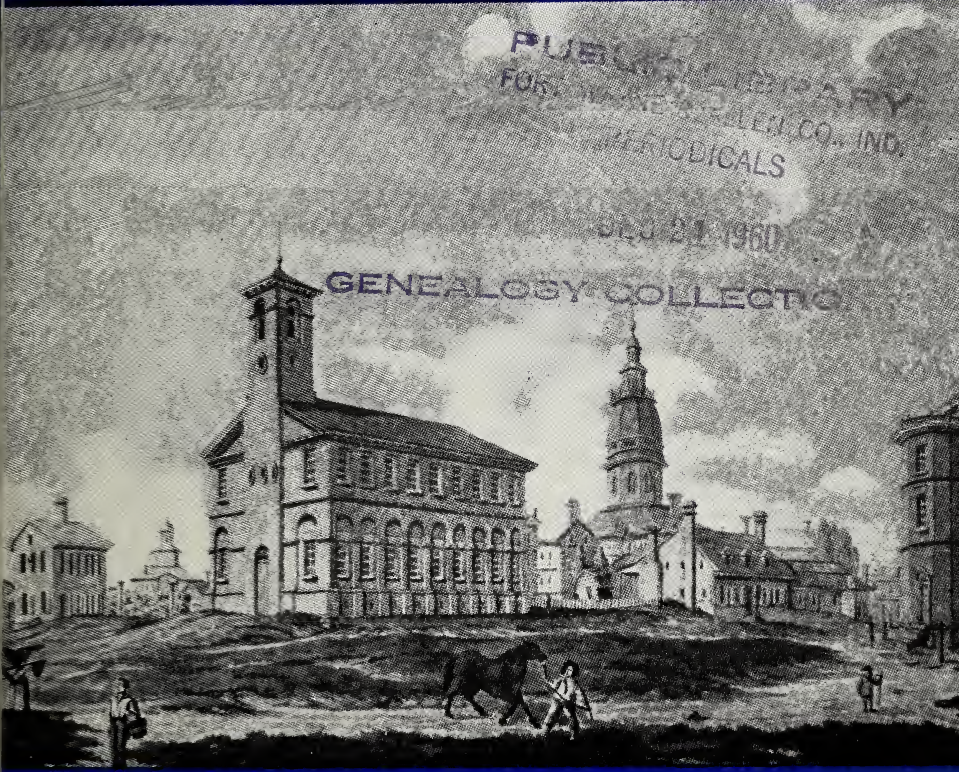

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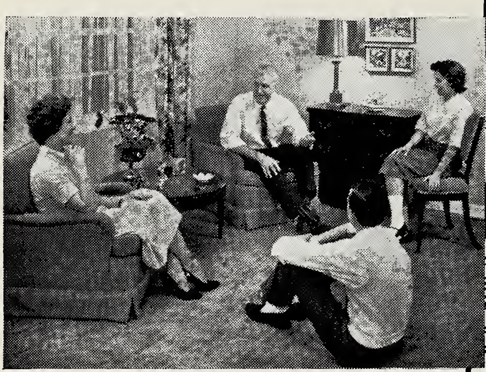

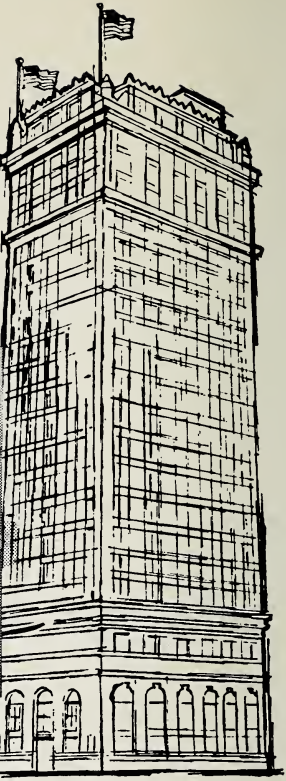

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Judge Wm. H. Taft, president of the Philippine Commission, became civil governor and General Arthur MacArthur military commander of U. S. forces in the Philippines — *September 1.*

U. S. Senator George I. Wellington, of Maryland, Republican, announced his support of William Jennings Bryan, Democratic candidate for the presidency— *September 1.*

A hurricane struck Galveston, Texas, with the loss of 6,000 lives — *September 8.*

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VOL. 55, NO. 3 SEPTEMBER, 1960

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Knopf, ed., *Anthony Wayne: A Name in Arms*, by Donald H. Kent
Snyder, *The Jacksonian Heritage: Pennsylvania Politics, 1833-1848*, by Philip A. Grant
Patrick, *The Fall of Richmond*, by Theodore M. Whitfield
Warner, *Generals in Gray: Lives of The Confederate Commanders*, by C. A. Porter Hopkins
Tolles, *Quakers and the Atlantic Culture*, by Kenneth L. Carroll
Townsend, *Katy of Catoctin, or The Chain-Breakers*, by Frank F. White, Jr.
Foster, *An Errand of Mercy: The Evangelical United Front, 1790-1837*, by Kenneth L. Carroll
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Richard Walsh, *Editor*
C. A. Porter Hopkins, *Asst. Editor*

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PUBLICATIONS OF THE SOCIETY

Add 25 cents for mailing and

Maryland sales tax where applicable.

Early Explorations of the Chesapeake Bay. By Gilbert Byron. 32 pp.	$1.00
His Lordship's Patronage: Offices of Profit in Colonial Maryland, by Donnell M. Owings. 1953. (Studies in Maryland History No. 1)	$6.00
Baltimore as Seen by Visitors, 1783-1860. Raphael Semmes. 1953. (Studies in Maryland History, No. 2)	$4.00
The Dulanys of Maryland, Biographical Study Daniel Dulany, the Elder, and the Younger. By Aubrey C. Land. 1955. (Studies in Maryland History, No. 3)	$6.00
William Buckland, 1734-1774. Architect of Virginia and Maryland. By Rosamond Randall Beirne and John Henry Scarff, F. A. I. A. 1958. (Studies in Maryland History, No. 4)	$7.50
The Star-Spangled Banner Manuscript in Facsimile. Encased in handsome folder	$1.00
The Star-Spangled Banner. Illustrated booklet. Description of the writing of our National Anthem. By Harold R. and Beta K. Manakee, 1954	$ .50
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MARYLAND
HISTORICAL
MAGAZINE

A Quarterly

Volume 55 SEPTEMBER, 1960 Number 3

TWO ANOMALOUS ANNAPOLIS ARCHITECTS:

JOSEPH HORATIO ANDERSON AND ROBERT KEY

By Rosamond Randall Beirne

THE ten years preceding the outbreak of the Revolution produced a building boom in the little capital of Maryland. Fortunes had been made in the colony that warranted dwellings comparable to those of the wealthy in England. The men who owned fleets of ships, thousands of rich acres in timber or under cultivation to the great tobacco crop, or an iron mine, felt that two " seats " were needed. Their country estate might be considered home but a city house in the gay metropolis was desirable.

Building substantial town houses could be in itself a profitable business, for there were always transients coming and going on his Lordship's or Crown affairs. Carpenters, joiners, stone-masons, with an occasional "plaisterer" were plentiful on the lists of procurable indentured servants but most who professed their trade had not had the strict training required by the London Guilds. An advertisement in the *Maryland Journal* for July 2, 1774, is typical of the accomplishments of a slightly better trained man.

> There is arrived in this Town [Baltimore], a person well recommended as a house carpenter and joiner and in drawing plans and elevations of houses, and in mensuration. Any gentlemen or others wanting such a person may hear of him by enquiring of the printer.

The term architect was only just beginning to be a word of common usage, and there were few men, even in the old country, who could call themselves members of that profession.

There were, however, four men in late Eighteenth century, among the known designers of Annapolis buildings who were designated in public records as "architect": William Buckland, William Noke, Joseph Horatio Anderson and Robert Key. Buckland's work has been recorded; [1] Noke is better known as Sheriff of Anne Arundel County, 1771-1776, but is associated with Anderson. Recent research on Anderson and Key has brought them partially out of the shadows.

Joseph Horatio Anderson seems to have sprung full armed into the whirl of activity in the little city on the Severn River. He is working by his own testimony in 1770 but disappears mysteriously after 1774. It is his own statement of 1770 that makes him a character worth investigating. In 1958 a letter of his was found in the "Brown Papers" of the John Carter Brown Library of Brown University which reads as follows: [2]

> Gentlemen
>
> From the Accts. in our papers of 22d Feby—find you are come to a resolution of Building at Providence presumes therefore to tender you my services, as Architect & Superintendant for that purpose—(if not ingaged). I must confess, my mode of application deviates from ye formalities customary on such occations, such as letters of recommendations etc.—for my part think it needless—after informing you of my Appointment as an Architect & Superintendant to the new State House at Annapolis—as well several private edifices particularly one of a grand &

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[1] Rosamond R. Beirne and John H. Scarff, *William Buckland, Architect of Maryland and Virginia* (1958, Baltimore).

[2] John Carter Brown Library, Providence, R. I., P-BU 74-414.

Eligant Construction for Jos Gallaway Esq. speaker of House of Assembly & Being regularly bread to those Sciences—& ye only one upon ye Continant Prosumes may be of eaquel advantage. For nothing being more desirable & satisfactory to a Society of Gentlemen than the appropriating an Accumilated Sum to ye best advantage—(Particularly in Building that may reflect Honour to ye founders & hand down their names to posterity) rather than ye erecting an unnecessary Ildigested Plan which not only disgusts the Eyes of every beholder—but raiseth Contempt for the pretended abilities of the Artist,—Alas I am sorry to find so many Publick Buildings already erected upon ye Continent without Taste or Genious, wch. has buried many Thousands of pounds subscribed with that freedom of Generosity only eaquel to this Americans. I prosume from my Practical knowledge of the Science as well as my knowledge of several Courts of Europe)—shall not be found wanting in ye Art of pleasing my Imployers & to serve them as well to Establish my name upon ye Continent—as these were my Motives that Brot. me to this Country added to my Natural desire of raising the Obnubilated Science to ye highest pitch of Glory on this Continent—If my Offers meet your Approbation—shall in Consequence of a line directed to me attend your appointment till then remains

Gentlemen Your Hum Servt.
Joseph Horatio Anderson
Architect at Philadelphia

Philadelphia 14 Mar 1770

The desire to please and to be remembered on " this Continent " is only equalled by his confidence. It leads one to guess that this aspiring gentleman might be one of the kissers of the Blarney Stone!

Studies of the London record of The Worshipful Company of Joiners and also of the Carpenters' Guild for the years 1700 to 1770 do not reveal the name of Joseph Horatio Anderson among the apprentices. Nor is he listed among any contemporaries in the building trades of all Great Britain.[3] Neither can his name be found in Philadelphia. However, in Annapolis it is quite evident that he was in and out of town for four years and that he chose always to be addressed as " Esq. and Architect." The coat of arms imprinted on the sealing wax of his one existing letter adds distinction to the handwriting with its exaggerated curves and curlicues. The arms appear to be a bend with scallops on a field of ermine, with a munching squirrel for a crest. It can not be found in any of the standard books on British heraldry as the coat of an

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[3] Research in London, May 1959, on records of the Carpenters' and Joiners' Guilds and at Library of Royal Institute of British Architects. H. M. Colvin, *A Biographical Dictionary of English Architects 1660-1840* (London, 1954).

Anderson. It could, of course, be Irish for the Irish have their own ideas about heraldry, or Anderson could have adopted the American fallacy of using a seal inherited from some maternal ancestor.

Having been thoroughly unsuccessful in providing a background for Joseph Horatio Anderson, the investigator turns quite naturally to the man's own statements, the most important of which is that he designed and supervised the Maryland State House. For years attempts have been made to discover the architect of this building. Dr. Morris L. Radoff, the State Archivist, as recently as 1954 made a careful search of records and came to the conclusion in his book, *Buildings of the State of Maryland at Annapolis*, that Charles Wallace, the undertaker, had gone ahead on his own and built it with the help of various subcontractors. The Treasurer of the Western Shore made all payments direct to Wallace as Superintendant. Since this book was published there has turned up in the State Archives the " Humble Petition of Charles Wallace to the General Assembly, December 20, 1779." which reads,

> Soon after the passing the Act of Assembly in 1769 for building a State House, the Superintendants—gave repeated public invitations to Architects and Workmen to lay before them Plans Estimates and Proposals for building and finishing the said house but nothing conclusive or satisfactory was done or offered by any person nor was likely to be proposed—the common opinion being that the £7,000 granted was hardly sufficient for the purpose and your petitioner—tho fully satisfied that no great profit could be made by any undertaker proposed to the then acting Superintendants to undertake the Building and finish the said State House for the said £7,000 Sterling which proposals were agreed to.

He concludes that after " seven years application and fatigue on a public work," he is well out of pocket and hopes for redress.[4]

It is known that the copper roofing was bought in England by Wallace's business partner; that Joseph Clarke later added the present dome and that William Buckland was paid for work " on the Public Building " in its early stages. The last named is considered to have designed the interior woodwork which a reluctant Assembly thought " more elegant than was necessary " in view of their budget. There are in existence floor plans and front elevation for the State House, undated and unsigned.[5] These differ considerably from the plans that were used: the dome is smaller, the portico has two columns instead of four with curving steps at each side, the windows are set in arches, there are quoins of stone, the interior stairway divides at the rear. They have been preserved through the years with the contracts of 1792 for repairing the building. The plans are professionally drawn with considerable skill, but if they are from the drawing board of Anderson, it is quite evident that they were discarded in favor of others. Thomas W. Griffith, one of the earliest historians of the state (1821), wrote that the architect of the State House was William Anderson. Since the only William Anderson living at that time was a man in the mercantile business, with no architectural ambitions, it may be presumed that Griffith, having some first-hand knowledge of the facts, had confused the first name. In summing up, Joseph Horatio Anderson asserted that he designed and supervised the Maryland State House. The weight of evidence is that he may have drawn plans which were never used, but he definitely had no further connection with this building, now the oldest State House in continuous use.

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[4] Hall of Records, Annapolis; also *Md. Hist. Mag.*, XLI (1951), 214.

It is easy to prove that Anderson was living in Annapolis during the years when the State House was under way. There was an unclaimed letter for him in the Post Office in April 1771, and it was about this time that he was trying his hand at a design for a new house and store for Charles Wallace himself; Joshua Johnson, the London partner in the large mercantile firm of Wallace, Davidson & Johnson, writes home for news and asks if the new building " is agreeable to Anderson's plan or Noakes? "[6] In March 1772 a lease (ground-rent) was made " between Charles Carroll, senior, of City of Annapolis, and J. H. Anderson of the same city for Lot 100 for 60 years at £6 per annum in dollars at 7:6 each, payable at the two most usual Feasts *vitz.* Annunciation of our Blessed Virgin Mary and the Feast of St. Michael the Archangel and agree to errect on said lot within 6 years such house or houses the Rent of which shall amount at least to £20 in dollars."[7] This lot was on King George Street, next but one to the harbor.

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[5] Johns Hopkins University, John Work Garrett Library.

[6] Wallace, Davidson & Johnson Letter Book, Vol. I, p. 46, Dec. 28, 1771; Hall of Records, Annapolis, Md.

[7] Anne Arundel County Deeds, IB #3, 1771-1773, Lease p. 245, Hall of Rec.

That Mr. Anderson was building houses in 1772 is attested by suits brought against him in the Anne Arundel County courts by two men who sold him building material, Michael Kripps, a brickmaker, and James Maccubbin, merchant.[8] In each of these cases he is called " Architect, late of Anne Arundel County." A workman named O'Neal also sued him about this time.[9] Anderson employed Thomas Johnson, Jr., an eminent lawyer, later to become the first elected governor of Maryland, to defend him. Since the cases were postponed for over a year and George Gordon was to pay up as his proxy if the cases went against Anderson, it can be assumed that the defendant was out of town. It can be assumed, also, that Mr. Anderson like many builders and contractors of his time, was slow in being paid and slower still in settling his debts.

The eminent Thomas Johnson, Jr. was once again to defend his client in a suit brought against Anderson by his servant, William Hardy, a baker. Hardy engaged Samuel Chase, a future Supreme Court Justice, and contended that Anderson " by force of arms did beat, wound and villy treat so that his Life was greatly despaired of and other Harms to him." [10] After a jury-trial each man was fined 15 shillings and costs. Life at home must have been constantly controversial, for again in March 1774 Anderson was sued for assault by the same servant, William Hardy. This time the case was abated.[11]

There is only one house in Annapolis that can be proved by documentary evidence to have been built by Joseph Horatio Anderson and that house was long ago swallowed up in the expansion of the Naval Academy grounds. In 1773 an Act of Assembly authorized the sale of property belonging to John Morton Jordan, Esq., deceased. Jordan was personal agent and Receiver General for Lord Baltimore, owning large estates in both Virginia and Maryland. He died in Annapolis but left a widow and infant son in England. The Act stipulated that the brick dwelling on the two acre lot " was not to be sold for less than £1500 sterling over and above such sums as Jordan in his Life time had or his Executors should Pay and advance Joseph Horatio Anderson " who had built it for Jordan.[12] *The Maryland Gazette* had advertised this place for sale in January 1772, describing the house and lots as a square, one side on the Severn River and " with a large stone wharf begun." Jordan's estate was not settled until after the Revolution and then largely by confiscation. John Nesbit Jordan, the heir, being just of age came to America in 1783 to look after his interests. He was so completely unsuccessful that his only redress was to file a claim against the British Government for his losses. In the Loyalist Records he claims that his two lots in Annapolis with handsome offices, dwelling house, coach house and large warehouses were not legally confiscated but that the executors of the estate had converted it to their own use.[13] This house we can be certain Anderson both designed and built.

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[8] Anne Arundel County Judgments, 1773, p. 30, H. of R.
[9] *Ibid.*, 1772-1773, DG #1, p. 230, H. of R.
[10] *Ibid.*, 1772-1773, DG #1, p. 47, H. of R.
[11] Anne Arundel County Criminal Court, March 1774, H. of R.

Two years after old Charles Carroll leased a city lot on which Anderson was to build a house the two men were again in contact over house building. Writing from his estate, presumably Doughoregan Manor, on May 11, 1774 to his son in Annapolis, the elder Carroll says,

> Mr. Anderson called here on his way to Frederick . . . and told me Mrs. People would be Here next day with a cart would call and leave the Plan of my House. I have not since seen Him or Mrs. People and He does not want ye Plan to make out a Bill of Scantling or for any other Purpose. Pray send it in the Chariot with the Child.

In another letter he repeats impatiently, " Mr. Anderson would send House plan but it has not come." [14] With all the various properties owned by Charles Carroll of Annapolis, from tidewater to the Blue Ridge, the house could be anywhere, but the one most likely to have commanded the attention of a trained architect was " Doughoregan." The unknown designer of this great mansion might someday be proved to have been J. H. Anderson.

It was about this time that Anderson felt that as " Gentleman and Architect " he should have an estate. He purchased from John Hammond, the patentee, for 50 guineas, eighty-eight acres on the north side of the Severn River called " Gaither's Intent." [15] This place was near Governor Sharpe's " Whitehall " for in the " Whitehall " accounts for 1773 is the item " Pork for Horatio

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[12] *Arch. Md.* LXIII, 403, 404, June-July, 1773.

[13] Loyalist Claims, Maryland. British Records film at Md. Hist. Soc.

[14] Carroll Papers, A. L. S. 2 pp.; Vol. III, p. 64, Md. Hist. Soc.

[15] A. A. Co. Deeds IB #4, 1773-1774, f. 122.

Anderson's People at the Glebe house £12/0/0." [16] Anderson did not long enjoy his plantation. Perhaps it was only a business transaction. The following year he sold it to William Noke, Sheriff of Anne Arundel County. The plantation carried a lien to Jonathan Wilkinson, a bricklayer of Annapolis who had a suit against Anderson and the sale was subject to a " Condition that Joseph Horatio Anderson pay Jonathan Wilkinson for his suit brought into the County Court August 1774 by May 1, 1775, then this deed to be of none effect and if not paid then to remain in full force." The consideration was £87:10. In 1777 Wilkinson got possession of " Gaither's Intent " from Noke who said he had received the £87:10 from Anderson and that Mrs. Anne Noke renounced any dower claim.[17]

There were other ties than adjoining property between Colonel Sharpe, the ex-Governor, and J. H. Anderson. Sharpe had built himself in 1764 " a prety box of a house " across the Severn from Annapolis with a view down the Bay which he designed as a hunting lodge and an escape from his official duties. When he retired in 1768, from his position as chief executive to this seat, " Whitehall," he wished to enlarge the house and make it his permanent residence. Drawings were made which are still in existence for wings and extension of wings, for a handsome octagonal stable for the Colonel's racehorses and for a court-yard. Directions on these plans are in the handwriting of Joseph Horatio Anderson.[18] It is clear that it was the intention of the owner and the architect to make what had been a bachelor's retreat into a noble, elongated mansion, with grounds landscaped after the best English plans, fit for a queen. However, the Colonel was past marrying and the rumble of trouble in the colonies was in his ears. Bedroom wings were built before he left for a visit to England, unconscious of the fact that he would never again see his beloved place.

The elaborate plans for flush toilets, a rarity even on the continent in those days, for the stable and for a courtyard at the land approach resembling a fortress, are the work of a trained architect. They are undated and unsigned but unique in design and scope. Undoubtedly the writing is similar to that of the 1770 letter to the

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[16] Charles Scarlett, Jr., " Governor Horatio Sharpe's Whitehall," *Md. Hist. Mag.*, XLVI (Mar., 1951), 18.

[17] Anne Arundel Deeds, IB #4, f. 534; Anne Arundel County Mortgage, IB #5, 1774-1778, f. 380, H. of R.

[18] In the collection of the owner of " Whitehall."

College at Providence from J. H. Anderson. Whether the extreme extension of the wings with their adjoining passageways, the stable, and the other improvements were ever actually completed has not yet been fully determined by the research of the present owner, Charles Scarlett.[18] He has restored what on the blueprint appears to be a fortress to the north of the front entrance. The terminology, bastions, petard gate, ramparts, etc. seem to prove that the good Governor was unduly alarmed by fear of Indian attacks. Perhaps, it was only memories of his part in the French and Indian War for from 1764 on the only trouble was far to the West of the Blue Ridge mountains. Those in authority bent over backwards to placate the Redman and to keep peace for the belligerent colonists in the " wild lands." [19]

There is one other puzzling fact in connection with Anderson's plans for " Whitehall." He did not design the handsome interiors because the surviving plan is in another hand. Most students of this house have attributed the wood work to William Buckland. If Anderson's plans had been accepted and carried out would he not have boasted of it in his letter to Providence? The mansion of the ex-governor of Maryland would have been more of a feather in his cap than the house of Joseph Galloway, Speaker of the Assembly of Pennsylvania. When the complete history of " Whitehall " comes to be written more evidence will be forthcoming and perhaps this enigma may be solved.

Anderson was still in Annapolis in 1774, trying to make a living by one means or another. His patronage was extended to lesser men as witnessed by an advertisement in the *Gazette* for January 20:

> Samuel Rusbatch, late pupil of Robert Maberly, Esq. coach and herald painter and varnisher to their majesties and the royal family; proposeth (under the direction of Joseph Horatio Anderson, architect in Annapolis) to carry on all the various branches of coach and herald painting, varnishing, guilding; as well plain as in the most decorated taste. Also painting in fresco, cire-obscure, decorated ceiling for halls, vestibules and saloons, either in festoons of fruit, flowers, figures or trophies. Carved ornament in deception, guilding and burnishing in the neatest manner, in common colours etc. Those ladies and gentlemen who please to favour him with their commands, may depend on his speedy execution; which he flatters himself will soon recommend him to the favour of the public. N. B. All letters and orders, sent or directed to Mr. Anderson (as above) will be particularly attended to.

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[19] Shelburne to Sharpe, Sept. 1766; Dulany Papers III, Md. Hist. Soc.; Hamersley to Sharpe, July 18, 1768, *Md. Hist. Mag.,* XLVI (Mar., 1951), 8-26.

This bears the earmarks of having been written by the effusive architect himself.

In the meantime Anderson had signed with most of the Crown officials and the monied interests of Annapolis the protest against citizens who did not want to pay their just debts to the merchants. The protest of May 30, 1774, carried the signatures of many who had the most to lose, as well as of those with Tory leanings. J. H. Anderson was one of them. In July of that year another letter waited at the post office to be claimed by " Joseph Horatio Anderson, Architect at Annapolis." [20]

After this there are but a few traces of Anderson's meteoric career. A runaway servant of his was brought into court in 1775; he is mentioned as a participant in a rather shady deal when stolen goods changed hands in Alexandria, Virginia. Anderson may have been only an innocent friend when he passes " the papers " on to his old acquaintance William Noke.[21] But in this case, brought into the Anne Arundel Court in 1781, he is mentioned as deceased.

Long after his death another important suit in Chancery Court involved Anderson. It was in 1794 that Robert Key, another local architect, sued the committee responsible for building the second edifice for the Anglican parish.[22] The committee had not paid Key what he felt was his due and there is much recrimination in the evidence presented. St. Anne's had been completed in 1792 at a cost of £6000. The brick building was 110 feet by 90, surmounted by a tower. Pilasters between the long windows gave it character. The interior walls were frescoed and besides the many pews for the subscribing gentry, there were galleries for servants and a gallery for slaves.[23] The Hon. John Ridout's answer to the suit contains the following statement: " The elegant Plans provided by Mr. Anderson left nothing for Mr. Key to do in the line of drawing excepting what arose from an alteration in the framing of the Roof." Dr. Upton Scott filed his answer saying: " The Plans of the intended Church were drawn by Mr. Anderson, an eminent Architect who died soon afterwards." Eighteen years after the new church was begun it was still very clear in the minds of the committee what part Anderson had taken and what they owed Key. Here Joseph Horatio Anderson's design for a building which yielded to fire in 1858 is well documented.

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[20] *Maryland Gazette*, July 14, 1774.

[21] Anne Arundel County Chancery Court, 1781, Vol. 13, p. 424.

[22] *Ibid.*, #2942, *Hyde* vs. *Key*.

[23] Elihu S. Riley, *The Ancient City* (Annapolis, 1887), p. 75.

Having covered as completely as possible Anderson's life in Annapolis, we return to his letter to the College at Providence and find that in 1770 he was at work upon " a grand and Eligant Construction for Joseph Galloway, Esq." Here real detective work is required. Joseph Galloway, that eminent Philadelphian who originated in Anne Arundel County, Maryland, who though Speaker of the Pennsylvania Assembly and delegate to the first Continental Congress, could not break with the Mother Country and was marked as a traitor, owned three houses. The most famous of these was " Trevose " in Bucks County, a seat on the Neshaminy River, back a little from the old mail route from Philadelphia to New York. It belonged in reality to his wife, Grace Growden, who had inherited it. The dwelling begun in 1685, finished two years later, was two and a half stories of stone and stucco with two detached two-story wings. Though much altered through the years, its history is well known and Anderson could not be considered the designer.[24]

A second estate of 45 acres nearer the city, on the banks of the Schuylkill, was bought by Galloway and used as a rural retreat. There must have been a simple house of some sort on the place but " Ormiston " as we know it now was built after the Revolution. Bought in as confiscated property by Edward Burd, the third of successive owners, it is dated by his letter of October 10, 1798, saying: " I have built a good house at Schuyekill and call it Omiston." [25] Anderson was dead long before this event.

Galloway's only other house was his town address of 6th and Market Streets, Philadelphia. This he bought in 1770 from Asrael Pemberton on the very day, June 9, that Pemberton had bought it from Alexander Stedman. The purchase price was £2700, representing a fairly handsome structure and from a detailed description in an insurance survey, this was the case.[26] Stedman bought the property in 1761 or 2, erected the three-story brick dwelling and trimmed the interior with wainscoting to the ceiling, " dentile cornish round the rooms, Freese, Architrave and Pediments over Each Room door," and all other ornamentation in keeping with his position as a Justice of the Supreme Court of Pennsylvania and a member of the Philadelphia Common Council. Because of the dramatic treatment accorded Joseph Galloway as a traitor to his country; the removal by force of poor deserted Mrs. Galloway by an exasperated Commissioner, the usual urbane Charles Willson Peale; and the taking over of the house by the Robert Morrises when General Washington moved into their house; history has left many records of the south-east corner of 6th and High (Market) Streets.[27] The evidence is clear, however, that Galloway did not build this house, nor did he own it until several months after Anderson wrote his letter to Providence. If we are to believe Anderson, then the only solution is that Joseph Galloway intended to build a handsome residence on his estate on the Schuylkill in 1770, bought the town house instead or felt that the time was not auspicious for building.

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[24] H. D. Eberlein and C. V. D. Hubbard, *Portrait of a Colonial City* (Phila., 1939), pp. 68-75.

[25] *Ibid.*, pp. 493-495; also Thompson Westcott, *Historic Mansions & Buildings of Philadelphia* (Phila., 1877).

[26] The Philadelphia Contributionship #1133, 1134, 1135, 1766; Philadelphia Deed Book 1—16/162; Work No. 610 for the Philadelphia City Planning Commission, Preliminary Report, Historical Sites. Through the kindness of Penelope Hartshorne, architect, National Parks Service.

Summing up the American career of Mr. Anderson, Architect, is to a large extent a negative statement. It is not known where or in what way he " had knowledge of several Courts of Europe." He had no wife or she would have signed the deeds for " Gaither's Intent " and no estate records or death notice can be found though he probably died in the colonies. He took no oath of allegiance in Maryland, required after 1777, nor does he apply to the British government to make good losses received during the war. He worked in Annapolis, Philadelphia, Frederick and Alexandria. The drawing of plans, the designing of buildings, rather than superintending any of the actual construction, was his profession. He regarded himself highly and others took him at his own valuation. The church wardens thought him " Eminent " and his plans for the enlargement of " Whitehall " show skill and training. There is good probability that his statement is correct in claiming that he drew plans (though they were not used), for the Annapolis State House and for Joseph Galloway in Philadelphia. He did not fulfill his desire to design buildings for the College at Providence.[28] In spite of the braggadocio, it can be stated with assurance that Joseph Horatio Anderson was a man of parts who had had training somewhere and that he drew plans for buildings in a manner which entitled him to be known in the colonies as " Architect."

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[27] Raymond C. Werner, ed., " Diary of Grace Growden Galloway," *Pa. Mag. of Hist. & Biog.* LV, LVIII (1931, 1934), 32-94; 152-189.

[28] Lawrence C. Wroth to R. R. B. May 23, 1958.

* * *

ROBERT KEY

Whereas Joseph Horatio Anderson did his own advertising, Robert Key had a devoted wife who made known his talent. Rebecca Campbell Key was a very old lady when she dictated what she could remember of her youth in Annapolis and these recollections were eventually published.[29] Where her memory has been checked, it has been proved remarkably accurate but there is some testimony resting solely on her word.

Mrs. Key said that her husband, an architect, was an Englishman, meaning that he was born in the old country. She came of a family that had been in Maryland since the Jacobite troubles forced them from Scotland in 1715. Her father, John Campbell II, and his wife, Frances Hammond, were members of St. Anne's Parish and her great grandmother had been the wife of that early architect, Simon Duff, who came from Scotland, she says to build Governor Bladen's official residence. This was the building long known as " Bladen's Folly," too grand a structure for the Assembly's taste. It has since been proved, however, that Patrick Creagh, not Duff, should be given credit for this initial building for St. John's College which stood a deplorable ruin for over thirty years.[30]

The name Key was sometimes pronounced and spelled Kay and, as often as not, had a final " s " added. The only contemporary one in the London Apprentice Book of the Carpenters and Joiners' Guild is Robert Keys who was apprenticed in 1754 to one " Richard Priest of Clerkenwell, joiner, £5.[31] This could well have been our man who might then have come to America at age twenty-one in the 1760's. He appears to have been no relation to the well-known Key family, at this time extending their holdings from St. Mary's County to more northern parts of the colony.

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[29] Annie Leakin Sioussat (ed.) Rebecca Campbell Key's " A notice of Some of the First Buildings with Notes of Some of the Early Residents." *Md. Hist. Mag.*, XIV (1919), 269.

[30] Joy Gary, " Patrick Creagh of Annapolis." *Md. Hist. Mag.*, XLVIII (Dec., 1953), 310-326.

[31] Apprentice Books, Vol. 17, 3517-20/36, 1754, London.

Mrs. Key comments on the friendship between her husband and Governor Eden and bears it out with several anecdotes. Robert Eden arrived in Annapolis in 1768, bought Edmond Jenings' fine house which had been rented by his predecessor, Horatio Sharpe, and employed Robert Key to enlarge it.[32] William Eddis, that faithful chronicler, writes home in October 1769: [33]

> The governor's house is most beautifully situated and when the necessary alterations are completed, it will be a regular, convenient, and elegant building. The garden is not extensive, but it is disposed to the utmost advantage; the centre walk is terminated by a small green mount, close to which the Severn approaches; this elevation commands an extensive view of the bay, and the adjacent country. The same objects appear to equal advantage from the saloon, and many apartments of the house; and perhaps I may be justified in asserting, that there are but few mansions in the most rich and cultivated parts of England, which are adorned with such splendid and romantic scenery.

Key added a rounded bay to the ballroom of the square brick house, extended wings for offices and kitchen and enlarged coach-house and stables. For some of this work, he was not paid until the Governor left the colony in 1776, when he was told to take the crystal chandeliers, valued at £1200. To the Keys' indignation the Committee of Safety for Maryland got there first and condemned all the Edens' personal property as enemy assets. Mrs. Key credits Governor Eden with further patronage to his architect friend by giving him the new Ball Room to design and build. This is the building still on Duke of Gloucester Street, Annapolis, but now with little to identify it with the Eighteenth Century. Eddis describes it as of elegant construction, illuminated to great advantage. Those who did not want to dance fortnightly could retire to the card rooms at either end for an evening of gaming.[34]

Robert Key is called " long a worthy and respectable citizen of Annapolis " but there are few records to prove it.[35] Fairly regularly during 1772 and 1773 he took his " todey " at 1/6 with the other patrons of William Faris' tavern. Occasionally he is down in Faris' books for " supper and club "; once he hired a horse for three days and once he borrowed a small sum.[36] In March 1773 he bills the Commissioner of the Loan Office for repairs, " Myself and man one day each @ 7/6." In 1774 he, like Joseph Horatio Anderson, signed the protest against the proclamation renouncing debts to British creditors.[37] Mrs. Key tells of his banishment from Annapolis because of his Loyalist leanings. She makes him something of a hero when he gives Eden warning that a deputation is on his heels, and helps speed the Governor from his garden seawall to H. M. S. *Fowey*, lying off the point to carry him back to England. Once when his wife was ill, he paid her a visit incognito but the word got around and the house was surrounded. With the prevailing civility the patriots allowed Mr. Key to finish his tea before escorting him across the river, headed for Baltimore. Key apparently decided later to renounce his unpopular attitude for he took the oath of fidelity in Anne Arundel County in 1779.[38] His only wartime service to his adopted State seems to have been in acting as courier and carrying a letter to Governor Lee from Baltimore Town in 1781.[39] To be sure there is a mysterious entry of £26:19 for services rendered the State in 1779 but whether for architectural or military work, we do not know.[40] Again in 1785, an account is rendered " For view of State House, etc. 12:16:8." [41]

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[32] R. C. Key, *op. cit.*

[33] William Eddis, *Letters from America* (London, 1792), p. 17.

[34] *Ibid.*, 32.

[35] David Ridgely, *Annals of Annapolis* (Baltimore, 1841), p. 244 n.

If ever Key was in need of a meal or a little pocket money, he could count on the patronage and generosity of Edward Lloyd IV of " Wye " and Annapolis. For a period of twenty-eight years, 1774 to 1802, he served the Lloyds at both town house and plantation.[42] Often the entries in the Lloyd business ledgers are for small repairs such as: " Repairing Stable with one new Slate, making a coach jack, etc." More pretentious was his " Building a Temple," presumably a garden house at " Wye." Once he is credited with 51½ days' work at Wye House and again " for 106 days' work about Green House, Mansion House and Sundry Repairs." What he did in Talbot County and what he did in Annapolis are generally carefully separated and, of course, in his years of exile he worked almost entirely at "Wye." The sum of £279, roughly the total of his collections from Edward Lloyd, does not seem sufficiently great to accept him as the designer and builder of "Wye House." He received at that time ten shillings a day, larger than the five and a half Lloyd paid to both William Buckland and William Noke for work on his town house. This would seem to indicate that the ten shillings were for Key and his workman and that they were serving as independant journeymen. Sometimes he is paid by Lloyd's factor in Annapolis and once, in 1774, David Stewart of Baltimore was ordered to pay him ten guineas. In an undated letter Arthur Bryan, the factor, writes the extravagant young owner of expensive houses:[43]

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[36] Faris Account Books, Md. Hist. Soc.

[37] Ridgely, 155, *op. cit.*

[38] Scharf Papers, Md. Hist. Soc.

[39] *Arch. Md.*, XLVII, March 1781, p. 142.

[40] *Ibid.*, XII, 543, Oct. 2, 1779.

[41] Intendant's Day Book #2, 39 and Orders #2, 3; Revolutionary Records, Hall of Records, Annapolis.

[42] Lloyd Papers, Md. Hist. Soc.

> After much plague and trouble I have Settled with Mr. Key the Balance Coming to him has left your Mama almost clear of Cash. I have Inclosed his Ansr against you I thought the charge of repairing the Stable too high and came under no agreement about it to support such a charge he has drawn or orders on you in favr of Mr. Lucas and Mr. Garnet.

Some of this protested work was for drawing the design for a tent with a suspended cot bed.

Mr. Key was not a very good risk for the universal credit system of business. In the Davidson Account Books where he is frankly called "Carpenter," he is charged for many items ranging from Bohea tea to whip-saw files and in pencilled notes interest is added for the ten years past.[44]

The most important building done by Key was undoubtedly that on St. Anne's church in Annapolis. When the Assembly granted funds in 1774 to build a new church, it was Robert Key who took down the organ and repaired the fence around Church Circle.[45] The old edifice was torn down and usable material stacked for future use. But with the arrival of the war all building plans were postponed, the congregation worshipped as best it could in the theatre, and vandals or patriots made away with most of the accumulated timber and bricks. It was 1784 before work could begin on the new building. As has been stated in the article on Joseph Horatio Anderson, a law suit developed ten years later over Key's bill to the Assembly-appointed trustees.[46] The Trustees made it plain that Anderson had drawn the plans and that all that Key had to do was to carry them out. Each Trustee wrote an answer that was filed with the Court. Samuel Chase and William Paca both begged off as they had by this time moved out of town and had had very little to do with the building. The burden had been laid upon the shoulders of Thomas Hyde, a prominent merchant, who by 1790 was anxious to be relieved of it. His feelings were hurt by an article in the *Gazette* complaining of the slowness of construction, and harassed by Key, he was ready to account to the General Assembly and " Chearfully resign his trust," which he did. This left the Hon. John Ridout and Dr. Upton Scott as remaining Trustees.[46]

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[43] Arthur Bryan to Edward Lloyd III, n. d., *ibid.*

[44] Davidson Account Books, 75, Md. Hist. Soc.

[45] St. Anne's Vestry Records quoted in *Md. Hist. Mag.*, X, 140.

[46] *Hyde* vs. *Key*, Chancery Court, Anne Arundel County, #2942, 1794.

> The Trustees find it impossible to ascertain with any Degree of Precision, the exact Sum that is justly due. Some of his charges are totally without Foundation, others extremely exaggerated,—the whole Account is either involved in a designed Obscurity—or fabricated at random as the different circumstances have struck his Imagination.

John Ridout maintained that in 1784 " Mr. Key inspected the Plans, Drawings and estimate made by a Master Architect [J. H. Anderson] and agreed to execute all the Carpentry of the Church on terms." As time went on, he became less diligent and asked the Treasurer for payment in advance. His work was unfinished; the cashier alleged he was sometimes in liquor when he applied to him for money. More specifically, he had charged for designs which were unnecessary and for trips to the Eastern Shore. Both sides employed professional men to value the work done; Joseph Clark was brought in by Key; John Jarvis and Cornelius West measured and valued for the Trustees. In 1790, the Trustees had offered to settle out of Court on terms judged fair by Jarvis and West, but the years went by until 1793 when William Pinkney, a national figure, was brought in to try to settle the case. Key was apparently living out of town, for he gave power of attorney to James Williams, Annapolis merchant, a trust which he " disannuls " in 1806. By that time the Court was ready for a decision. The verdict was that Key should be paid £1110:4:1 with interest, the exact amount left over from subscriptions, lottery, Assembly appropriations, etc., after all other bills had been paid. Key felt he was due £5000.

Key called himself " carpenter and joiner " all through the St. Anne's case but others referred to him as " architect." Most records of him are in Annapolis but he moved continually back and forth to Baltimore and to the Eastern Shore. In 1783, he leased " Sundry Lots on Wilkes Street," Baltimore, from William Fell,[47] and, in June of that year he appeared as a witness in a Baltimore County case.[48] Mrs. Key remembered that her husband had traveled down from Baltimore to greet his old friend, then Sir Robert Eden, when he arrived in Annapolis on that fateful visit. But Robert Key eventually returned to his wife and his original residence for good The notice in the *Gazette* for September 21, 1786 that Edward Vidler and Robert Key were " prepared to design and build houses of every kind " and had workmen, failed to bring in business. Key did not prosper in the building profession, for in 1792 he appears as a " languishing prisoner " in the Anne Arundel County jail for nonpayment of a small debt and is listed at the time of his release among the insolvent debtors.[49] Six years later, according to the county tax lists Robert Key and William Bishop were occupying a frame dwelling house, single story, 32 x 18 on a quarter of an acre rented from Richard Frazier.[50] This was obviously an office, and the occupancy was the last recorded event in Key's life.

Rebecca Campbell Key did not die until 1840, some time after the death of her husband, who seems to have left no estate. The last years of her life must have been difficult ones. With her sister, Frances Campbell, she was a pensioner of the county, receiving thirty dollars a year.[51] Perhaps they lived together, and, if so, in the country below Annapolis, since Miss Campbell was buried in the churchyard of All Hallows. Mrs. Key, late in life became a convert to Roman Catholicism and it is not known where she was interred.[52] Though Robert Key disappears as mysteriously as he came, he should take his rightful place in that band of gifted artisans who came to the colonies to seek a living and elevate the taste in building.

[47] Deeds, Baltimore, W. G. Q 293, 1783, H. of R.

[48] Chancery Court, Baltimore County, B 45-321, 1800, June 1783, H. of R.

[49] Liber Insolvent Debtors, Anne Arundel County Records, 91, Aug. 24, 1792. Estate of Richard Flemming, debts due from Robt. Keys 5:10:0. " Justices of Peace release him, a languishing prisoner in Anne Arundel County Gaol, July 2 to August 24, 1792."

[50] Tax List, Anne Arundel County, 1798, Md. Hist. Soc.

[51] Liber Levy Book, pps. 306, 336, 370, 400, 431, 452, 1830-35, A. A. Co. Records.

[52] R. C. Key, *op. cit.*

THE EXECUTIVE AND THE SEPARATION PRINCIPLE AT THE CONSTITUTIONAL CONVENTION

F. William O'Brien, S. J.

IN his concurring opinion in the Steel Seizure Case in 1952, Justice Frankfurter borrowed from Brandeis the following justification for his arguments: [1]

> The doctrine of the separation of powers was adopted by the Convention of 1787, not to promote efficiency but to preclude the exercise of arbitrary power. The purpose was, not to avoid friction, but by means of the inevitable friction incident to the distribution of the governmental powers among three departments, to save the people from autocracy.

In the immediate context in which Frankfurter wrote, the implication is that the principle of friction through separation was operative in 1787 not only in a general way, but that it was particularly operative on the Founding Fathers when they set about establishing the Executive Department of the National Government.[2] Also implicit in Justice Frankfurter's quotation—or if not implicit, at least inviting easy inference—is that the Founding Fathers were much influenced by their fear of an *efficient* Executive, that they aimed at embarrassing his free action, and, finally, that the friction they hoped for was to be created by causing him constantly to encounter the Legislature.

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[1] *Youngstown Sheet & Tube Co.* v. *Sawyer*, 343 U. S. 593, 613. Brandeis along with Holmes and McReynolds, dissented from Taft's majority opinion that the power of removal from office was concomitant with the power of appointment. Both Taft and Holmes leaned heavily on the " removal " debates of Congress in 1789. See *Meyers* v. *United States*, 272 U. S. 52, 290, 293 (1926).

[2] The principle of separation of powers has always been on hand as an instrument capable of exulting the horn of either branch. Historically it had been for the colonial Whigs a principle to invoke in order to enhance the local legislatures. In the *Meyers* case, Chief Justice Taft used it to heighten executive power. In the case of *Humphrey* v. *United States*, 295 U. S. 602 (1935), Justice Sutherland made a recovery for the Legislature by basing his " removal " decision on the same principle. And finally Mr. Truman at one time invoked the separation theory to give defensive power even to ex-presidents. See the *New York Times*, November 26, 1953 for Arthur Krock's comments on the Committee of the House on Un-American Activities, whose subpoena Mr. Truman refused to honor.

It is not possible to psychoanalyze the Founding Fathers to determine what was their most dominant motive when they established the Executive Department, settled on the extent of its powers and fixed a method for selecting the executive head. Certainly there was suspicion of all government power, particularly national, and aversion to monarchical power of any kind.[3] No doubt the theory of separation was one of the great political principles that had influenced the thinking of the Colonists for a long time. However, it is submitted that in 1787 the immediate problem before the early American statesmen was to create an Executive Department with strength, and that when the principle of separation was applied in a practical concrete way, it was applied not to encourage friction but to avoid it, and by avoiding it to make the national government, epecially in its executive and administrative organs, efficient.

Professor Charles Thach seems to support the opinion submitted above when he says: [4]

> The adoption of the principle of separation of powers, as interpreted to mean the exercise of different functions of government by departments officered by entirely different individuals, also seemed insistently demanded as a sine qua non of governmental efficiency. . . .

To throw more light on the subject it will be profitable to study the debates in the Convention on the Virginia Plan for the selection of the executive head. But to make this study more understandable, it will be helpful to review the equipment, in terms both of political theory and of political experience, which the Founding Fathers brought with them to the Convention. To this end a brief survey of colonial and early state history will first be made.

It was inevitable that people in the royal and proprietary colonies should grow up with a distrust of the executive branch of government and a softness towards legislative supremacy.[5] The governor was the king's representative in America and was the immediate target for all local attacks on royal arbitrariness. On the other hand, the popularly-elected assembles were looked upon as the surest defense of the people's rights.[6] Maryland may be taken as fairly typical. " The habit of attack on the prerogatives and privileges of the lord proprietor," writes Charles A. Barker, " had begun when the colony began." In 1725 the House of Delegates asserted that " It is we that are the people's representatives for whom all laws are made and human government established." The history of seventeenth century England helped to fortify them in these pretensions to legislative supremacy, and thus they viewed themselves as " the Cokes and the Hampdens of the true English tradition." They were also avid readers of the political theorists who supplied philosophical arguments to buttress the conclusions they themselves reached by daily induction. The writings of John Locke, the great defender of parliamentary supremacy against royalty, were in wide circulation, as were those of the lawyer William Blackstone.[7] All strengthened the colonists' conclusion on the need of checking power against power and of keeping the three departments of government separate.[8]

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[3] E. Ellis Stevens, *Sources of the Constitution of the United States* (New York, 1927), p. 147. That the fear of monarchy in the person of the American Executive was much alive in 1788 is proved by Hamilton's devoting considerable attention in the *Federalist* to those who were pointing out an analogy between the English King and the President. "Calculating upon the aversion of the people to monarchy, they [the writers against the Constitution] have endeavored to enlist all their jealousies and apprehensions in opposition to the President. . ." (No. 61. See also No. 69).

[4] Charles C. Thach, Jr., *The Creation of the Presidency* (Baltimore, 1922), p. 70.

[5] W. E. Binkley, *President and Congress* (New York, 1947), chp. 1, pp. 3-17.

However, the aim of the colonists was not to preach a doctrine of *equal* and separate departments, but rather to use the texts of the political philosophers to enhance the prestige of their own local assemblies and conversely to depress the presumptions of the Executive whether in the person of the King or the Colonial

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Only in Rhode Island and Connecticut, whose charters granted virtual republican governments, was the legislature supreme, largely because it chose the governor.

[6] " Before the revolution the executive and the judicial powers were placed neither in the people nor in those who professed to receive them under the authority of the people. They were derived from a different and a foreign force. . . . On the other hand, our assemblies were chosen by ourselves. . . . Every power which could be placed in them was thought to be safely placed: every extension of that power was considered as an extension of our own security." (James Wilson, *Works*, Vol. I [Chicago, 1898], 356-358.) Charles Albro Barker, *The Background of the Revolution in Maryland* (New Haven, 1940), pp. 1, 65-67, 112, 162-168, 373.

[7] Over 2500 copies of Blackstone were sold in America before 1776. See E. S. Corwin, *The Doctrine of Judicial Review* (Princeton: Princeton University Press, 1914), 33, note 48. See also Corwin's *The President: Office and Powers* (New York, 1948), p. 6.

[8] Six years before Montesquieu published his *Spirit of the Laws*, his doctrine was concretely put into practise by the Massachusetts House of Representatives when in 1742 it rejected the demand of Governor Shirley for a permanent salary giving as a reason for the rejection fear lest the grant " would lessen the just weight of the other two branches of the government, which ought ever to be maintained and preserved. . . ." See William S. Carpenter, " The Separation of Powers in the Eighteenth Century," *American Pol. Sci. Rv.* XXII (February, 1928), 37.

Governor. Thus when Independence was declared in 1776, the Governors in the new states were stripped of most of their power and the colonial assemblies became nearly omnipotent. What is more, in actual operation, the first state constitutions left the Executive even weaker than a mere reading of his powers would lead one to believe, for the Legislatures were prone to interpret the constitutions freely to their own advantage and there was no defense against their usurpations.[9] " Separation of powers, whatever formal adherence was given the principle in bills of rights, meant the subordinate executive carrying out the legislative will." [10] In all the states except in New York, the governor was chosen by the Legislature, his term of office was short, and his powers meager.[11]

Those who believed that " every extention of (legislative) power " was necessarily an extention of their security were soon disillusioned. This is especially true of the more conservative elements of society, but even liberals like Jefferson viewed the results with manifest alarm. " All the powers of government, legislative, executive, and judicial results to the legislative body. The concentration of these in the same hands is precisely the definition of despotic governments. . . . 173 despots would surely be as oppressive as one." [12] Madison expressed the conservative view when he spoke in the Convention of the tendency " to throw all power into the legislative vortex," and predicted an inevitable revolution if no check was found for restraining the popular branch of the governments.[13] During the Convention John Mercer, one of Maryland's delegates, evinced this same dissatisfaction when he urged the need of protecting " the people against those speculating legislatures, which are now plundering them throughout the United States." At another juncture in the debates he asserted that " the corruption and mutability of the legislative councils of the States " had led to the convocation of the Convention." [14]

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[9] Note, for example, how the Legislature of New Hampshire, in the face of the constitutionally-provided separation principle, infringed on the judiciary by vacating its proceedings, and annulling its judgments. See E. S. Corwin, " The Progress of Constitutional Theory, 1776-1787," *Am. Historical Rv.*, XXX (1925), 514.

[10] Thach, *The Creation*, 34. Professor Corwin offers a partial explanation for this disregard of the separation principle in this that in 1776 it was not yet clear what the terms " judicial," " executive," " legislative " meant. See " The Progress," p. 514.

[11] Thach, *op. cit.* 28-37. In New York, the governor was chosen by a constitutionally defined electorate, not by the Legislature, p. 37.

[12] Thomas Jefferson, *Notes on The State of Virginia.* This quotation is taken from Binkley, *op. cit.*, p. 20.

[13] Max Farrand, *Records of the Federal Convention*, 3 vols. (New Haven, 1911), II, 35. See also *The Federalist*, 48. Dr. Carpenter asserts that this tendency of the State Legislatures was due to the failure of the Constitutions to define legislative powers clearly. See his " The Separation," pp. 32-34.

The " perils of demoracy " as evidenced in the spoliation of the College in Pennsylvania,[15] the disregard for judicial proceedings in New Hampshire,[16] the debtor laws in New England, and the general retaliatory commercial restrictions in all the States had by 1787 made most of the conservatives and many liberals lose faith in experiments with legislative omnipotence.[17]

Conversely, this experience taught the value of an executive body, small in size, fortified with a fixed salary, protected with the veto power, and endowed with the power of appointment. It demonstrated the necessity of making him a vigorous organ of government.

The same lesson was brought home to the Founding Fathers by the operation of the Congress under the Articles of Confederation, adopted March 1, 1781, and by the Continental Congress which ante-dated it.[18] The reason generally assigned for the lamentable showing of the first national congresses is their general lack of power over the States. But just as fundamental is the inept employment of the powers that were allotted to them.[19] Strictly speaking there was no executive department, and, for that matter, no judicial branch in the government of the Confederation, since all powers were vested in the one assembly of delegates representing the thirteen states. Actually, howver, this council of ambassadors was an administrative board or managerial body acting for the corporation of States. But Congress was not always in session, nor would the sheer weight and complexity of the work at hand allow it to handle these executive tasks. Hence, out of necessity committees and agencies were given the actual administrative functions. But a basic fault in this arrangement was that the members of Congress were the members of the standing committees: in other words, there was complete fusion and no separation of the branches of government.

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[14] A. T. Prescott, *Drafting the Federal Constitution* (Baton Rouge, 1940), pp. 758, 762.

[15] Corwin, " The Progress," 514; George Bancroft, *History of the United States from the Discovery of the Continent* (New York, 1882), V, 329.

[16] Thach, *op. cit.*, pp. 49-54.

[17] The States did not have to wait 10 years before learning these lessons. One reason given for the unique strength of New York's Executive is that the Constitution there was not adopted until the early fervor for democracy had somewhat abated. Massachusetts, another state whose Executive was strong, adopted its Constitution four years after the Declaration of Independence. Thach, *op. cit.*, pp. 34, 47.

[18] These following observations are largely those of Thach, *op. cit.*, Chp. III, pp. 55-62.

[19] *Ibid.*, p. 56.

An attempt to remedy this defect was made by creating boards and departments of war and of foreign affairs, a Marine Committee, a treasury board, and other departments on a somewhat more independent and integrated basis: non-members of Congress were added to the boards and the principle of unity in department control was paid some respect.[20] But the new organization was not successful since there was no constitutional barrier that forbade Congress from meddling in the administrative functions of the departments it created: the separation that was allowed to flourish was mostly personal; the organic connection remained.[21]

The defects in such an arrangement were outlined by Hamilton in 1780: [22]

> Another defect in our system is a want of energy and method in the administration. . . . Congress has kept the power too much in their own hands and have meddled too much with details of every sort. Congress is, properly, a deliberate corps, and it forgets itself when it tries to play the executive. It is impossible such a body, numerous as it is, and constantly fluctuating, can ever act with sufficient decision with such a system.

Even Jefferson was in harmony with this critical analysis of the Congress, and in a letter of August, 1787 he reveals that he was a part of the movement favoring an executive committee endowed with certain definite powers and standing between the departments and Congress.[23]

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[20] *Journals of the Continental Congress, 1774-1798*, 9 vol. (Washington, 1904), II, 295; III, 105, 330, 382, 511, 564, 574; IX. 8-9. See also Thach, *op. cit.*, pp. 62, 68.

[21] Thach, *op. cit.*, p. 68.

[22] *The Works of Alexander Hamilton*, W. C. Hodge, ed., 9 vol. (New York, 1904), I. " Hamilton to James Duane, September 3, 1780," p. 213.

[23] *The Writings of Thomas Jefferson*, 9 vol. (Washington, D. C., 1853), II, " Jefferson to Carrington," August 4, 1787, p. 218. " I think it very material, to separate in the hands of Congress, the executive and legislative powers. . . . The want of it has been the source of more evil than we have experienced from any other cause."

Thus it was that two sets of experiences, that with the State governments and that with the National Congress, converged to read to the early American statesmen a common lesson: the need of separating the Executive from the Legislature in order to avoid friction and thereby guarantee efficient government. This was the instruction the Founding Fathers brought with them to the Convention of 1787. How well they applied it can be gleaned from studying the debates over the clause in the Virginia Plan relative to the election of the Executive.

On May 29, 1787, the Virginia Delegation put before the Convention in Philadelphia a series of resolutions known either as the Virginia Plan or the Randolph Resolutions because of Governor Randolph who presented them.[24] Out of these resolutions, amended and expanded, was to develop at length the Constitution of the United States.[25] The Executive Department was spoken of as follows:

> 7. Resolved that a National Executive be instituted; to be chosen by the National Legislature for the term of ——— years, to receive punctually at stated times a fixed compensation for the services rendered in which no increase or diminution shall be made so as to effect the Magistracy, existing at the time of increase or diminution, and to be ineligible a second time; and that besides a general authority to execute the National Laws, it ought to enjoy the executive rights vested in Congress by the Confederation.
>
> 8. Resolved that the Executive and a convenient number of the National Judiciary, ought to compose a council of revision with authority to examine every act of the National Legislature and every act of a particular Legislature before a negative thereon shall be final; and that the dissent of the said Council shall amount to a rejection, unless the Act of the National Legislature be again passed, or that of a particular Legislature be again negatived by ——— of the members of each branch.

Relative to the principle of separation of powers, the Virginia Plan was a decided improvement on the Articles in as much as it established a National Executive, stipulated a fixed term and salary, and invested it with both general executive authority and also the rights of the old Congress. But that principle seemed to be breached in providing for an election of the Executive by the

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[24] Farrand, *Records*, I, 6 et seq.

[25] Max Farrand, *The Framing of the Constitution* (New Haven, 1931), p. 68. Not the executive clause, however, which is largely the work of James Wilson. As a matter of fact, as Thach observes, the elimination of election by Legislature and of the ministerial Council amounted to a complete revision of the Virginia Plan. *The Creation*, p. 87.

National Legislature and by giving to the Council of Revision a veto over the law-making branch.

On June 4 the question of the veto came up for debate. Gerry of Massachusetts immediately objected to having judges on the Council on the grounds that " it was quite foreign to their office to make them judges of the policy of public measures." [26] Wilson expressed belief that the provision did not go far enough, and, significantly, his reason for advocating an absolute negative was the need of keeping the proper distinction between the departments. " Without such a self-defense, the legislature can at any moment sink it [the executive] into non-existence." [27] Hamilton agreed, but Franklin called upon examples from the use of the veto by the King of England and by the proprietary government in Pennsylvania to show that " this was a mischievous check." Madison observed that if Gerry's objection was valid, it would forbid any kind of veto even by the Executive alone for the maxim of separation was equally applicable. But he did not think either arrangement was an improper mixture of powers.[28] Mason of Virginia was strongly attached to the revisionary institution. " The executive power ought to be well secured against legislative usurpations on it." [29]

The result of the debates was that the judges were excluded from the Council but the power of veto was kept to be exercised with finality by the Executive alone unless the act was repassed by a two-thirds vote of the Legislature. What is significant here is that while the principle of separation of powers was apparently deemed to provide valid grounds for disqualifying the judges for exercising the veto on the Council, the maxim was not applied in the case of the Executive.[30]

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[26] A. T. Prescott, *Drafting the Federal Constitution* (Baton Rouge, 1940), p. 598. Prescott's revision of all of Madison's Convention notes on the Executive is used here because of its convenient arrangement.

[27] Wilson later answered as follows to those who thought that it was an improper fusion to have judges acting in a two-fold fashion on legislation: " The separation of the Departments does not require that they should have separate objects, but they should act separately, though on the same object. . . ." (Prescott, *ibid.*, p. 555).

[28] Madison pressed the point that the check of the Council instead of being at variance with the maxim of separation was really " an auxiliary precaution in favour of the maxim " (*ibid.*, p. 553).

[29] *Ibid.*, p. 605. Note that Mason, though not generally a strong executive delegate, justified the veto power on the separation principle.

[30] Another important fact of the debates on this point is that they reveal how wide-spread was the distrust of the legislative power. Even the liberal Mason expressed such a distrust and in no uncertain terms. Gorham, while arguing

The provision for electing the Executive brought out clearly in the debates the two great divisions of thought on the general relation of the Executive to Legislature, and here the proponents of a strong Executive did invoke the principle of separation *but* in order to guarantee the independence necessary for strength.

Roger Sherman of Connecticut expressed the extreme anti-executive position when on June 1 he said: [31]

> He considered the executive magistrate as nothing more than an institution for carrying out the will of the legislature into effect: that the person or persons ought to be appointed by and accountable to the legislature only . . . he wished the number not fixed, but that the legislature should be at liberty to appoint one or more as experience might dictate.

Had this theory of executive-legislative relation prevailed, the executive would surely have been in danger of sinking into insignificance.[32]

Even if the Virginia provision for choosing the Executive had been decided upon without the other features of the Sherman theory, the federal government would have been basically different from what it is.[33] Several scholars believe that parliamentary government would have developed in America, with the President becoming a rather impotent figure like the British king. However, the possibilities of such a development are intimately connected with the question of whether or not members of the Legislature are allowed to become officers in the executive branch, a subject to be reserved for later discussion.[34]

But an intriguing question is why was this provision for choice of the Executive ever made in the first place and why was it so readily accepted time and time again by the Convention in which " the dominant element . . . was deeply concerned lest the popular organ, the Congress, would play the tyrant." [35]

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against joining judges to the Council, prefaced his remarks thus: " All agreed that a check on the legislature is necessary " (*ibid.*, p. 555).

[31] Farrand, *Records*, I, p. 65.

[32] Corwin says that had " this conception prevailed, the Convention would have anticipated the collegiate executive of the present Swiss Federation " (*The President*, p. 11).

[33] See Binkley, *President and Congress*, p. 16; also p. 17 where the Beards are quoted to the same effect. But Professor Corwin says it is " extremely unlikely " that the " Cabinet system " would have developed. As obstacles to such a development he sees the fact of two houses elected for different terms and the fact that the President lacks the power of dissolution (*The President*, p. 15).

[34] " The possession by ministers of seats in the legislature is, of course, of the essence of ministerial government " (Thach, *The Creation*, p. 95).

[35] Binkley, *op. cit.*, p. 21. The Convention voted in favor of the election by the

The answer to the initial question of why the provision was ever proposed at all is not too difficult to discover. First of all though the " dominant element " in the Convention distrusted the power of Legislatures and was intent on strengthening the Executive, there was a small but vocal group of extreme leftists like Roger Sherman. Moreover, even the " dominant element " was by no means as far to the right as Wilson, Gouverneur Morris, Jay, or Hamilton. Again, it must be recalled that the Convention met to amend not abrogate the Articles of Confederation, whose cardinal feature was complete fusion of executive and legislative powers in Congress. The Virginia Plan was a decided advance on this and represented what had been the only pronounced tendency towards separation of powers under the Articles, namely a personal separation. Finally, the Virginia Delegation was perhaps the strongest and best organized of all, and consequently came best prepared to present a concrete plan to the Convention; but the Virginia Delegates were not of the extreme pro-executive faction, Madison becoming a Wilsonian convert only later on in the meetings of the Convention.[36]

The question of the persistent adherence to the plan throughout most of the period of the Convention requires a careful reading of the debates with an understanding of what was at stake for the various delegates.

In the first place it should be pointed out that the Virginia Plan did not settle definitely the point whether or not the Executive was to be plural or unitary, although Randolph, was strongly opposed to vesting executive power in one man. But strange as it may seem, the Wilsonian theory of a single head triumphed quite early and without very widespread or bitter opposition, the final vote on June 4 being 7 states against 4.[37]

It is submitted that this early victory for the strong Executive might easily have been the cause for a near defeat of more significance by far. There was a widespread fear and distrust of

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Legislature at least five times and were still committed to it up until the very end. Not until September 5 was the existing choice by electors settled on. See Prescott, *Drafting*, pp. 621-630.

[36] Yet, strangely enough, Virginia along with Pennsylvania became the backbone of the strong Executive movements. Thach, *The Creation*, p. 130. This was due to the influence of Madison and to the fact that in crucial moments even Mason, usually an opponent, lent his aid in an indirect way.

[37] Prescott, *Drafting*, pp. 546-547.

monarchy,[38] a fear that had deep historical roots, and when the Convention early decided upon the principle of unity in the Executive, these fears became more potent in polarizing the opposition. The image of a board of three, even with rather extensive and independent powrs, would not excite extreme anxiety, but a single executive recalled the colonial governors and conjured up the spectre of another George III. It is reported that when James McHenry came into the convention hall on August 6 he observed Mercer, his fellow delegate from Maryland, making out a list of members in attendance with the word " for " or " against " opposite nearly every name. Those marked " for " he laughingly explained, favored a royal government.[39] Both McHenry and Luther Martin, the third delegate from Maryland, are said to have copied out this list. Such engendered fears hardened opposition to an Executive independent of the Legislature, and hence the first victory of the Wilson group really contributed to the longevity of the election proposal in the Virginia Plan.

However, fear of monarchy was only a lesser reason for the Convention's repeated acceptance of Randolph's original election proposal for the Executive. The main reason was the reluctance of the States, particularly the smaller states to accept any other plan that would reduce their control over or their participation in the new National Government then being created. To observe this motive operating in the Convention demands a study of the debates relative to the construction of the two Houses of the Legislature and to the apportionment of represetnation therein.[40]

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[38] " The majority of the Framers ardently desired to provide an executive power which should be capable of penetrating to the remotest parts of the Union. . . . At the same time most of them realized that it was absolutely indispensable that the Convention should avoid stirring up the widespread popular fear of monarchy " (Corwin, *The President,* p. 10).

[39] This interpretation is confirmed by remarks of some of the delegates soon after the vote for the single Executive. Butler of South Carolina on June 4 argued that he " had been in favor of a single executive magistrate; but could he have entertained an idea that a complete negative on the laws was to be given him, he certainly would have acted differently." Mason, who had expressed fear of the omnipotent Legislature, now asserted that " he never could agree to give up all rights to a single magistrate. If more than one had been fixed on, greater powers might have been entrusted to the executive. He hoped this attempt to give such powers would have its weight hereafter as an argument for increasing the number of the executive " (Prescott, *op. cit.*, pp. 600-602). Farrand, *The Framing*, p. 174.

[40] See Farrand, *The Framing*, pp. 164-172, for a brief account of how the small States finally accepted the electoral college method of election in place of choice by the Legislature when it was agreed that the Senate could amend money bills and that the House voting by States would elect the President in case no candidate received a majority.

This is beyond the scope of the survey of this paper which is concerned primarily with the question of how the Framers applied the principle of separation of powers when they were creating the office of the President.

Wilson's original amendment to the Randolph proposal was direct election by the people, a novel plan, indeed, presented with the admitted apprehension " that it might appear chimerical." [41] So it appeared to the overwhelming number of delegates who crushed the proposal by a 9 to 1 vote,[42] while the Virginia Plan scored an 8-2 victory.[43]

When on July 19 the Convention discussed the question of tenure and re-eligibility, Madison argued: [44]

> If it be a fundamental principle of free government that the legislative, executive and judiciary powers should be *separately* exercised, it is equally so that they be *independently* exercised. . . . It is essential, then, that the appointment of the Executive should either be drawn from some source or held by some tenure that will give him a free agency with regard to the legislature. It is not clear that an appointment in the first instance, even with an ineligibility afterwards, would not estalbish an improper connection between the two. . . . The substitution of electors . . . seemed on the whole to be liable to the fewest objections.

Gouverneur Morris stated even more forcefully his opposition to any plan of appointment that would leave the Executive dependent on the Legislature, and " of all possible modes of appointment, that by the Legislature is the worst." [45] The decision of the Convention to choose the Executive by an electoral college was a victory for the theory of Wilson that the executive branch should be responsible to the people and not to another branch of the government.

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[41] Prescott, *Drafting*, p. 557.

[42] *Ibid.*, p. 564.

[43] But what is significant here is the reason given by Wilson. " He wished to derive not only both branches of the Legislature from the people without the intervention of the state legislatures, but the executive also, in order to make them as independent as possible of each other, as well as of the states " (*ibid*, p. 558).

[44] *Ibid.*, p. 573. It is not clear how John Adams, a Whig highpriest, would have reacted to the arguments here advanced by Madison. His aristocratic tendencies would probably have inclined him to view Wilson's plan for a popular election of the Executive as indeed chimerical. On the other hand his devotion to the separation principle would certainly have forced him to protest the theory advanced by Sherman and also the Randolph proposal that would have left the Executive dependent on the Legislature. See note 81 *infra* for Adams' indirect influence on the Constitution.

[45] Farrand, *Reports*, II, 103-105.

The decision to exclude members of the Legislature from office in the Executive and the reciprocal exclusion of ministers of the Executive from seats in the law-making branch provoked debates which quite naturally involved the question of separation of powers.[46] However these debates do not indicate that the principle was applied in order to weaken the Executive by destroying his connections with the Legislature. As a matter of fact, the principle was used here because of the very practical desire of getting good executive officers, not merely officers who had won positions by courting the favor of their own particular body of government.[47] It was also aimed at ensuring the functional distribution of powers which had been so sadly lacking in the Articles of Confederation. On the State level this theory of personal separation was dictated by the need of guaranteeing that there would be some external check to the state Legislatures that had acted so cavalierly in stretching their constitutional powers.[48]

Another fact worthy of note is that Wilson along with Gorham and King were in favor of allowing members of the Legislature to hold offices after their term as law-makers though not during their term.[49] And this tiny breach in the wall of separation was encouraged to strengthen the Executive, not to weaken it. Wilson argued the unreasonableness of disqualifying a competent choice for an executive branch merely because he had already served in another body of the government. Gorham, though he admitted that the door was open to possible corruption, apparently would favor the allowance of appointment of legislators to executive offices precisely because the use of such power in the Executive would strengthen his hand.[51] As had been noted by a scholar of the Convention who has tried to interpret the somewhat perplexing remarks of Gorham and others like him, " they observed that it [executive patronage] secured executive leadership in Great

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[46] " Nothing in the Constitution has done more to insure the separation of the Executive from Congress than the provision that no person holding any office under the United States shall be a member of either house during his continuance in office " (Binkley, *op. cit.*, p. 18).

[47] Thach, *op. cit.*, p. 97.

[48] *Ibid.*, p. 95.

[49] Farrand, *Reports*, I, 379-389.

[50] *Ibid.*, 379.

[51] *Ibid.*, 381. Hamilton also favored allowing congressmen the opportunity of holding office and his reason was that this would strengthen the Executive. The vote in favor of the prohibition was very close, *ibid.*, pp. 376-377.

Britain; they knew it had done the same thing in New York; they hoped to secure the same results in the national government.[52]

Madison's reason for exclusion was motivated not by a desire to limit the Executive but to restrain the legislators. If they themselves were eligible for offices of their own creation or eligible for the increased salaries voted by themselves, the door would surely be opened to unsavory action. " I am therefore of the opinion, that no office ought to be open to a member, which may be created or augmented while he is in the legislature." [53] But he was not in favor of forbidding the " allurements " of all executive offices from being held out to servants in the legislative body.[54]

Mr. John Mercer of Maryland spoke out with surprising candor on the expediency of allowing the Executive this kind of influence over the legislature: [55]

> Governments can only be maintained by force or influence. The executive has not force, deprive him of influence by rendering the members of the legislature ineligible to Executive offices, and he becomes a mere phantom of authority.

Mr. G. Morris was likewise " against rendering the members of the Legislature ineligible to office. He was for rendering them eligible again after having vacated their Seats by accepting office." [56] Mr. Pinckney observed that " no State has rendered the members of the Legislature ineligible to officers. . . . It can not be supposed that the motion will be offensive to the people." [57]

The above remarks by delegates most instrumental in formulating the executive clause clearly show that they did not apply the separation principle here in the " eligibility " discussion to weaken the Executive nor to promote " friction " between the Executive and the Legislature. Those of the strong-Executive school who favored exclusion did so to ensure functional distribution and to *avoid* that friction which had been consequent upon the fusion of powers under the Articles, while the proponents of eligibility thought this departure from the strict maxim of separation was justified as a means of adding needed strength to the Executive.

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[52] Thach, *The Creation*, p. 97.

[53] Farrand, *Reports*, I, p. 380.

[54] *Ibid.*, 392.

[55] *Ibid.*, II, p. 284. Note that none of these men seem to have seen in their suggestions the possibility of creating a parliamentary system. See Binkley, *President*, p. 19.

[56] Farrand, *Reports*, II, 286.

[57] *Ibid.*, 287. It is not clear if Pickney favored allowing Congressmen this opportunity while they were members of the House or the Senate, though this seems more likely. He was a strong supporter of the New York type of Executive whose position was reenforced by the control of patronage. See Thach, *The Creation*, p. 97. See also pp. 110-111 where Thach argues that Pickney and Wilson modeled Article II on the New York Constitution.

A few words should be appended on the work of the Maryland delegation in pounding the executive article into shape. A survey of the debates will reveal that their contribution here was not as consequential as was that of the "dominant element." As pointed out above, Mercer was at times quite caustic in his criticisms of the overweening powers of State legislatures. Whether or not this indicated a general distrust of legislative bodies and a proportionate fondness for puissant executives cannot be ascertained from the meager reports of the Convention debates. Once he spoke out strongly against allowing judges the power to declare laws void, asserting that the "laws ought to be well and cautiously made, and then to be uncontrollable." [58] On the other hand he twice expressed opposition to investing the Senate with other than legislative power.[57] "The Senate ought not to have the power of treaties. This power belonged to the executive department." [60] And his firm stand in favor of the eligibility of legislators for executive offices was admittedly dictated by a desire to enlarge the President's bargaining power with Congress.[61]

Daniel Carroll, Daniel of St. Thomas Jenifer, and James McHenry added scarcely more than a casual remark here and there to the momentous debates on the executive clause. However, McHenry lined up with Madison and proponents of a strengthened Executive when he cast his vote in favor of a proposal that would have required a three-fourths instead of a two-thirds vote to overrule the President's veto.[62] In this action he was opposed by the rest of the Maryland delegation.

Luther Martin, Maryland's most vocal and combative delegate, was a mighty fortress for the states-righters against threatened encroachments by proponents of a strong national government. In his estimation the Convention was an Armageddon where the forces of centralization were pitted in fateful conflict against the valiant guardians of home and hearth. The sophisticated debate over separation of powers and executive versus legislative supremacy was for Martin a mere skirmish subsidiary to the major battle. All his stout defenses and bold sallies on the Convention floor must be understood in this context.

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[58] *Debates . . . on the Adoption of the Federal Constitution . . .* , rev. ed., Jonathan Elliot, ed., 5 vol. (Philadelphia, 1861) V, 429.

[59] *Ibid.*, 408, 428.

[60] *Ibid.*, 428.

[61] *Supra*, n. 55.

[62] Farrand, *The Framing*, p. 184.

Unlike many of his confreres he aimed no sharp thrusts at the State legislatures. He was the first to propose choice of the national Executive by electors picked by these legislatures,[63] and he asked that the representatives be elected in such manner as the State legislatures should direct.[64] The suppression of rebellions he would have left to the States.[65] When forced to yield on this point, he insisted that the State legislatures be empowered to request federal aid and not the governors, except during periods of recess.[66] He vehemently decried proposals to allow Congress a negative on State laws.[67] Finally he insisted that the finished Constitution be submitted to the State legislatures and not to conventions.[68]

All the above-mentioned protestations were calculated to reduce the power of Congress to a minimum. But Martin displayed equal vigor in fighting those bent on exalting the horn of the Executive. With annoying persistence he introduced and reintroduced motions against the reelection of the President.[69] When Wilson suggested that the Executive choose the judges, he dissented and urged strenuously that the Senate be invested with this power.[70]

The final product of the Convention won Martin's disapproval and in his report to the Maryland legislature he resolutely urged that " my country reject those chains which are forged for it." [71] Among the multitudinous links in these chains he envisaged those provisions which would enable the President " when he pleases, to become king in name, as well as in substance." [72]

It would be interesting and instructive to present in detail the debates over the substance of Executive power: the appointment power, the external powers of war and over foreign affairs, the domestic power of administration. The same question could very profitably be asked in this conection: how did the Framers apply the principle of separation? To undertake such a project would be to extend this present study beyond limits. However, a few general observations can be given on this question as they have been made by respected scholars of the Convention. First and foremost Professor Thach's summary conclusions deserve citing at some length. The noted scholar says: [73]

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[63] *Debates*, ed. Elliot, V, p. 304.

[64] *Ibid.*, 223.

[65] *Ibid.*, 333.

[66] *Ibid.*, 497.

[67] *Ibid.*, 248, 321.

[68] *Ibid.*, 500.

[69] *Ibid.*, 334, 338, 359.

[70] *Ibid.*, 328.

[71] *Ibid.*, I, 389.

[72] *Ibid.*, 379.

> Executive influence on legislative measures is very generally spoken of as a modern development, entirely unforseen by the framers of the Constitution, pictured as bound hand and foot by the doctrine of separation. And yet we see the idea of executive preparation and report of plans of legislation was very much alive. The lessons concerning the incompetence of a lgislative body to legislate were not forgotten, nor was the doctrine of separation so far a master word as to negate their influence.

Thach admits that the maxim of Montesquieu " conditioned political " thought—and the admission is inevitable when one reads the debates of the Convention. However, the dogma of separation was not the determining influence. " Indeed, the doctrine of separation fared far harder at the hands of the Convention than one would suppose from the continual appeals made to it." [74] Thach agrees with W. F. Willoughby " that there are few governments which are characterized by a greater degree of functional overlapping."

Professor Wright perhaps goes too far in denying the influence of Montesquieu and the other theorists on the Convention delegates, but he does underscore the general conclusions of Thach and Willoughby. Wright asserts that the classic expositions on the principle of separation written by Hamilton and Madison were evoked only as an afterthought to quiet the fears of opponents who complained that the Constitution had alarmingly blended the powers.[75]

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[73] Thach, *The Creation*, p. 124.

[74] *Ibid.*, p. 169. But Professor Hastings asserts that the Constitution would have been entirely different but for Montesquieu. See William Hastings, " Montesquieu " and Anglo-American Institutions " (*Illinois Law Rv.* XIII, [December, 1918], 419-430).

[75] B. F. Wright, " The Origins of the Separation of Powers in America." *Economica* XIII (May, 1933), pp. 169-185. In contrast to Wright, Professor Carpenter calls the writings of Montesquieu " The political gospel " for the men of the Convention. See " The Separation of Powers," pp. 32-44. Madison understood that the Constitution by implication embodied the separation of powers. In the debates in the 1st Congress on the Removal Power, he extolled the principle of separation, but justified a partial blending " in order to admit a partial qualification in order to guard against an entire consolidation." (*The Debates and Proceedings in the Congress of the United States* . . . 42 vol. [Washington, 1834-56],

Perhaps Thach is closer to the truth when he observes that the Framers used the political philosophers to draw arguments rather than specific conclusions.[76] And, as has been pointed out in this paper, the arguments were drawn to enhance the Executive. " When are argument was concerned with the participation of the Senate in executive functions, the appeal was made to separation; when it was the question of the veto, the dotcrine of checks was put forward." [77]

In other words, the doctrine of separation was very consciously employed at the Convention, even though the theorists were not given credit nor the dogma often spelled out in so many words.[78] It had, indeed, " conditioned political thought." But what is not often noted is the partisan roles it was made to play. Professor Thach must again be called in for another astute observation. After noting that through the writings of Montesquieu and Blackstone men had thought of government as a conflict of opposing interests rather than as a matter of cooperation, he says: [79]

> From the nature of things, however, this meant, when applied to the American system, chiefly that a strong national executive was needed to counterbalance legislative predominance. . . .
>
> . . . The chief problem of distribution of functions and organization of government was to get a sufficiently strong executive.

To complete this picture one should follow the delegates as they undertook in the First Congress to implement the rather vague provisions of the executive clause of the Constitution. The debates over the establishment of the great departments and over the power of removal confirm, it is submitted, what has been the thesis of this paper.[80] That thesis, to repeat again, is that the principle of the separation of powers was not used by the Framers —when they discussed Article II—as a means of promoting

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I, 517 [Annals of Congress]). This veto is " an auxiliary precaution in favor of the maxim " of separation. See note 28, *supra.*

[76] Thach, *The Creation*, p. 171.

[77] *Ibid.* Another author calls Montesquieu a real inspiration for the Founding Fathers, though he agrees with Thach that the separation principle was invoked to check the populace. See Reginald Parker, " Judiciary and Executive Branch of Government," *The Jurist* IX (April, 1949), 205-235.

[78] The Constitution does not enunciate the separation principle explicitly in contrast to the state constitution of Massachusetts although the latter document strongly influenced the Founding Fathers, *The Creation*, p. 169.

[79] *Ibid.*, pp. 170-171.

[80] See, for instance, the remarks of Madison relative to the separation principle and the power of removal. *Annals of Congress*, I, 517.

friction and inefficiency so as to limit the restraints of government but on the contrary it was used to make the Executive independent of the Legislature and thus to increase his strength and efficiency.

To recapitulate the main points in establishing this thesis: History shows that most of the colonists had a congenital dislike for governors and conversely a fondness for their assemblies. The Continental Congress, the Articles of Confederation, and practically all the State constitutions were predicated on this distrust of executive power and on an unbounding confidence in legislative omnipotence.[81] But the experiences of the period from 1777-1787 had caused the most profound disillusionment, and hence the " dominant element " came to the Convention of 1787 determined to establish an Executive that would be a check on the Legislature. That this was the prevailing mood of the delegates seems clear from the early and easy victory of the Wilson faction in its efforts to establish a unitary instead of a plural Executive.

The question of the separation of powers was not raised until other subjects were discussed. For those still reluctant to enhance the Executive too much, the principle was utilized to oppose the veto power. But the proponents of a strong executive became latitudinarians and either saw no breach of the principle or, like Madison, argued that the veto was really an auxiliary support of the maxim.

However, when the prolonged debates began on the method for choosing the Executive, these strong-Executive delegates became rigorists in applying the principle. In spite of repeated setbacks, the Wilson-Morris-Madison-Hamilton school triumphed in their persistent determination to assure independence for the Executive relative to his election. They defeated the Randolph-Virginia proposal for election by the Legislature, establishing the electoral college in its place.

The clause excluding Legislators from holding any offices in the Executive branch was adopted only after long discussions which are very informative as to the use made by the separation principle on the part of the strong-Executive members of the Convention. A strict application of the maxim would seem to forbid absolutely any such mingling, yet here again many delegates would have countenanced a relaxation of the principle for the sake of enlarging the potential of the Executive. This was the expedient position of Gorham and Hamilton. Wilson was against such blending and here he applied the principle of separation strictly because of his concern over the need for personal separation in the departments, something so evidently lacking under the Articles.

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[81] The New York constitution and to a less extent that of Massachusetts are exceptions. Both of these were helpful as models for the National Constitution. John Adams credits himself with furnishing the basic principles for all three through a series of eight articles he wrote around 1775 for the *Boston Gazette*. See his *Life and Works*. C. F. Adams, ed., 10 vol. (Boston, 1856), II, 317.

The conclusion, then, seems justified that the Framers were not theorists, applying the principle of separation without concern for the real problem before them. This problem, clear from ten years of experience, was how to establish an energetic, strong, independent, and efficient Executive who would be able to act vigorously. Undoubtedly this was the great objective of the group ultimately responsible for the Executive clause. At least for this element in the Convention, the goal was not government by friction between the organs. Brandeis and Frankfurter notwithstanding, the Founding Fathers were promoters of efficiency not of friction, and the separation principle was one of the devices utilized to realize their end.

TWO JACKSON SUPPORTERS:

ROGER BROOKE TANEY
AND
WILLIAM MURDOCK BEALL OF FREDERICK

By Alexandra Lee Levin

IN May of 1827, in Baltimore, a group of Jackson men, chief among them Roger Brooke Taney, Esq., called together a convention to plan for the 1828 election and to stir up interest in their candidate's career. The tall, gaunt Taney, remarkable for his pronounced stoop, had early become a supporter of Andrew Jackson, the people's man, despite the fact that he, Taney, had been born into an aristocratic landed family. This spring of 1827 the successful attorney had written to his good friend, William Murdock Beall, cashier of the Farmers' Bank of Frederick Town, Maryland, urging him to attend the meeting in Baltimore. Banker Beall caught the jolting stagecoach which, with much fanfare and horn-blowing, left Frederick at seven in the morning, arriving in the metropolis at nine at night. The assemblage of politicians convened on May 21st at the Baltimore Athenaeum, with Mr. Taney presiding. General Thomas M. Forman, a leading Democrat from Maryland's Eastern Shore, was named president of the convention; Mr. Beall was chosen its secretary. A local poet tossed off a few lines to Mr. Beall:

> The good Sir William, to his country true,
> A faithful friend, who jealous for his state,
> In freedom's cause leads warm and bold debate.

In the autumn of 1832 Andrew Jackson, again a victor at the polls, approached his second term with the resolute determination to finish off Mr. Nicholas Biddle of Philadelphia and his Second Bank of the United States. Although the Bank had been well managed since 1819, it had never achieved any degree of popularity in the West. President Jackson, the backwoods hero, eyed it and its patrician head, Nicholas Biddle, with instinctive distrust. In his resolve to best the " hydra," the Bank, the President was ably aided and abetted by his astute Attorney General, Roger B. Taney.

The summer of 1832 had been a busy and wearying one for Taney. Mr. Biddle had come to Washington in May to marshal his forces there against Jackson and his anti-Bank cohorts. By dint of great activity, Biddle had greatly influenced the passage of Henry Clay's Bill for the re-chartering of the Bank, which took place on July 3, 1832. To Attorney General Taney fell the difficult task of helping the President prepare his message of veto. Three busy days were spent at the White House by Taney while he readied the message. On July 10th it was sent to the Senate. In his message the President made it clear that he considered the Bill both an unconstitutional invasion of state rights and that it was a continued and unwarranted monopoly. The great Democrat from Tennessee could brook no special privilege for the few: the " prostitution of our Government to the advancement of the few at the expense of the many."

Shortly after the message was delivered, Congress adjourned, and Taney, weary from his labors and the uncomfortable weather of Washington wrote to his friend Beall: " I suffer so much from exposure to a hot sun." [1] He took his frail wife, Anne, sister to Francis Scott Key, for a much needed rest in a house he had rented on Pipe Creek in Frederick County. From there he wrote to Beall:[2]

> I am glad to tell you that Mrs. Taney bore her ride very well and I hope a few days here will recruit her strength. You will I hope find time to pay us a visit here. I need not tell you how much pleasure it would give me.

The Bank War raged on unabated. The adversaries were well matched. Biddle refused to admit defeat. Jackson elected to transfer the United States deposits in Mr. Biddle's Bank to selected, " pet " state banks. When Mr. Duane, the Secretary of the Treasury, refused to sign an order discontinuing deposits, the President promptly removed him and put Taney in his place. Mr. Biddle counter-attacked by turning the already tight screws of credit even tighter, and the economy of the whole country winced. " Jackson money," scrip put out by hard-pressed communities, began to appear, and many businesses were pushed to the wall.

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[1] M. Beall from R. B. Taney, Sept. 2, 1829. The Beall letters are in the author's possession.

[2] M. Beall from R. B. Taney, July 28, 1832.

In Frederick Town, Maryland, Mr. William Murdock Beall, still a staunch Jackson supporter, received the following communication from his son-in-law, John Knight, a merchant of Natchez, Mississippi:[3]

> Times are extremely hard; money scarce beyond endurance. If your friend General Jackson perseveres in his past and present course towards the U. S. Bank, I tremble for the consequences to us all. My spring payments are heavy and the present prospects of collection are gloomy. Cotton is very low, and our banks will discount scarcely a dollar for any person. The rich and the poor are all alike pressed for means to meet their immediate engagements. . . . We all unite in *blessing* General Jackson for the unparalleled distress his folly and malice have brought on the country. I have heard many good Christians earnestly pray that the *good* old man might be speedily taken to a better country. I believe he has done by his most iniquitous course in a few short months ten thousand times more injury to this country than he could atone for through all eternity in the constant practice of virtuous actions. We should all here hail his death with patriotic joy. Still, I am sure, that in the South where the staple of the country, cotton, always commands cash at some price, we shall feel the blighting effects of his mad measures less than you will and do at the North. Nearly all his former insane partners have been brought to their senses by his late acts. Jackson men are as scarce here now as hen teeth.

Despite the tide of popularity running so strongly in reverse against him in many quarters, the President was gratified when, in March of 1834, the House by a vote of 117 to 105 backed up the stubborn old fighter. By way of retaliation the Senate Bank forces rallied their supporters, and when Jackson presented the name of Roger B. Taney for confirmation as Secretary of the Treasury, his nomination was rejected.

Relieved of public office, Taney retired to his private affairs, resuming his practice of law. His friends, however, wished to do him honor. In Baltimore he was tendered a testimonial dinner, while the residents of the small town of Frederick, Taney's former home, planned a grand reception for him. His old friend, William Murdock Beall, along with others, arranged a welcoming committee. The day before the reception took place, Taney left Washington for Frederick, accompanied by his brother-in-law, Francis Scott Key. They were to spend the night some nine miles outside of Frederick, at Beallview, the country home of old Mr. Elisha Beall, father of William. Before he left the capital, Taney wrote to Beall:[4]

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[3] M. Beall from John Knight, June 16, 1834.

Washington August 1st 1834

My Dear Sir:

One of my servants being about to go to Frederick, I have only a moment before the stage goes off to say that I received your letter. I will be at your father's on Tuesday night—I hope you will meet me there. F. S. Key will be with me. I will write to you more fully by the next mail. The arrangement you propose is perfectly agreeable to me.

Very truly your friend

As planned, Taney and his brother-in-law spent a comfortable night at Beallview, and the ensuing day an escort of over one hundred persons, mounted on horseback, turned out to meet the distinguished former resident of the town.

Two years after this reception, Mr. William Murdock Beall found himself following national events with even more than his usual interest, for the President had sent the name of Roger B. Taney to the Senate for confirmation as Chief Justice of the Supreme Court, to succeed the late John Marshall. Despite much acrimonious controversy in that august body, Taney's nomination was confirmed. In Frederick, Mr. Beall hurriedly wrote a congratulatory letter to his friend, to which the new Chief Justice promptly replied:[5]

Baltimore March 23, 1836

My dear Sir:

I returned from Annapolis on Saturday evening where the news of my confirmation by the Senate prevented me from delivering a speech at the Bar of the House of Delegates, which if the discussion could have been brought on earlier, I should have been glad to have made and to have presented to my friends and to my countrymen generally as my last effort at the Bar.

Upon my return I received your kind letter, together with many from other friends. But until today I have been unavoidably occupied by the calls of friends and the calls of business, preparatory to my entrance upon the duties of my judicial station. And I propose to devote today to the pleasant duty of returning acknowledgements to the friends who have been good enough to shew their interest for me by letters of congratulation on my recent appointment.

And although as I have said, I have many to answer from friends in different quarters of the Union, I must begin with you, my dear sir, as my oldest, my true and constant friend—whom in every conflict (and I have had my share of them) I have still found by my side cheering me on with your approbation and support—and that too, not the cold support of mere conservative defense, but a manly and public and active support, staking yourself with me in every crisis, and in the most trying and doubtful seasons with inflexible firmness. I may say this now with less hesitation because I cannot be suspected of courting favour to procure support. For my political battles are over, and I must devote myself to the calm and high duties of the station with which I am honored. But upon looking to my political life, which I find has been a long one, although until recently it was confined to a narrow sphere, I cherish with unmixed pleasure my association with you, and the many and strong proofs of regard and confidence which I have have received at your hands. Be assured, my dear sir, I shall never forget them.

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[4] M. Beall from R. B. Taney, Aug. 1, 1834.

[5] Wm. M. Beall from R. B. Taney, March 23, 1836.

The Office I have received I prefer to any in the Government, and is the only one I ever felt any ambition to obtain. I would not have accepted a nomination for the Vice-Presidency, and my friends who spoke to me on that subject were distinctly so informed. My large family and slender pecuniary means put that office out of the question. Besides it has nothing in itself to make it an object of ambition, unless it be regarded as a step towards the highest office in the government. And if I could have hoped to be thought of for that, I shall, when Mr. Van Buren's eight years expire, be at that time of life when repose and quiet will be far more agreeable than the constant turmoil of active political contention. The one I have received is the one I most desired as an object of honest ambition, and I trust I shall so discharge its duties as to give my friends no cause to regret the support they have given me. And with best wishes to Mrs. Beall and your family

A year following Taney's elevation to the Supreme Bench, his weary chief, Andrew Jackson, was on his way home to the Hermitage for good. Two stormy terms in office were behind the Old Warrior, and he was more than ready to hand over the reins to his successor, genial Martin Van Buren. Leaving behind him a lovely southern magnolia which he had planted near the south portico of the White House, "something green in memory of Rachel," [6] he had said—Rachel, his beloved wife who lay buried in Tennessee, the tired old man turned his face homeward. A serious illness the previous November had confined him almost continuously during that winter to the top floor of the White House, and the strain of attending Mr. Van Buren's inauguration in the capricious March weather had worried his friends and his physician. The ceremony over, it was with some apprehension for his health that they saw the silvery-maned General board the steam cars of the Baltimore & Ohio which would convey him to the western terminus of the railroad at Ellicott's Mills. From there he would coach along the National Pike to Wheeling, whence an Ohio River steamboat would point him towards Nashville.

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[6] William A. Dayton and Walter A. Weber, *National Geographic Magazine*, CXII (October, 1957).

General Jackson and his entourage planned to stop at Frederick, and for a picture of his visit there we are indebted to a letter written by Martha Beall, the sprightly seventeen-year-old daughter of William Murdock Beall, to her married sister, Mrs. John Knight, who lived in Natchez, Mississippi:

Frederick Town March 1837

My dear sister:

We have written a number of letters to the south and west to be sent by Mr. George Schley and the Hon. W. C. Johnson, but were disappointed in both, the former having declined going until spring, (the latter was wounded very severely in an affray of honour with Mr. Wm. Schley, who was also wounded but not seriously). Our Town has been very lively this winter, the officers making this their place of rendezvous. The balls and parties that were given amounted to 20. Miss Bullet and Virginia Balch were the reigning belles.

Ex-President Jackson honoured our city by passing through. The day he was expected in Frederick, Dr. Wm. Tyler, Judge Shriver and Papa were appointed to meet him. A splendid coach and 4 with the same number of postilions was to be drawn through the city, which reminded me of the victors Rollin speaks of in Rome, when they were led in triumph through the metropolis. Our military company turned out, it being a fine day. A great many strangers were here, principally from the country to see the grand procession that was expected to take place. But alas! we were disappointed. He went around by way of Baltimore and did not arrive here until the day after, which was inclement with a drizzling rain the whole day, but cleared up at 7 o'clock.

Papa went down immediately and when he returned he told me to get myself ready to visit the General. Mr. Taney accompanied the General to Frederick and brought with him Cornelius.[7] Mr. Taney requested

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[7] Reference to " Cornelius " in Carl Brent Swisher, *Roger B. Taney* (New York, 1936), pp. 158-9.

" Cornelius, the slave of a Major Hughes, had been permitted by his master to earn small sums of money toward the purchase of his freedom, and to educate himself above the level of most slaves, so that he was able to write letters. Taney in some way became interested in the boy, and discussed with his friend, William M. Beall, of Frederick, the possibility of buying the boy and setting him free as soon as he was able to earn the remaining amount necessary to cover the purchase price. 'Major Hughes it seems,' Taney wrote to Beall, 'is willing to let Cornelius go for $450, and he has but a hundred and fifty of his own. Cornelius is a good boy and I am willing to aid him, and therefore send a check payable to your order.'

Papa to take me down to see the General but I would not go without Mama. We therefore went and were introduced to the General, Mr. Taney, and Miss Lovel who were in the room. We had just taken our seats when Mrs. Jackson[8] entered the room. She was very handsome and affable, about the size of Mrs. Henry Johns. I was astonished to see the General look so well; his being very erect was the cause of it. Mama remarked to him how much better he looked. He replied that it was no wonder when the whole government was off his shoulders, and was gratified that a man [Van Buren] who had been a minister to the Court of St. James, and being rejected by the people, was afterwards made Vice-President, and then elevated to the office of President, confirmed by the Chief Justice of the United States, and he then bowed to Mr. Taney. I asked him if he thought he would ever again visit this part of the world. He said that no one knows but the Almighty, that we must submit to His will in all things, and that if he were spared, peradventure he might. The people wanted Papa to ride in the coach with the General as far as Boonsboro and then return in it, but Papa declined.

I think I have said too much on this subject but thought that anything from Frederick, however trivial, would be interesting. I must now conclude by remaining your affectionate sister,

Martha Beall[9]

Three days after the triumphal Jackson delegation had left Frederick, Mr. Beall received a letter from the Chief Justice, concerning his sister, Miss Dolly Taney:[10]

Baltimore March 9, 1837

My Dear Sir:

An unexpected and melancholy event will compel me to visit Frederick again much sooner than I expected when I parted from you. On my return home I found that my eldest sister who has been for some time in infirm health, died this morning. It was her desire to be buried by the side of my mother, and I have to ask the favour of you to see the Rev. Mr. McElroy or in his absence the Rev. Mr. Young, and request them to have a grave prepared by my mother's side and to meet me at the depot on Saturday. Will you all have the goodness to have the hearse then ready? I propose to come up with the cars on Saturday and to return the next day, as I find my younger children are sick with the whooping cough and I am unwilling to be long absent from home.

I make no apology—because I am sure none is necessary—for taxing

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The purchase was made, and Taney not only made the boy a free person in effect from the beginning, but looked after him from that time on almost as if he were a member of the family."

[8] Reference to Mrs. Jackson: Sarah Yorke Jackson, a Philadelphia girl, had married in 1831 Andrew Jackson Jr., the adopted son of the General and nephew of his wife, Rachel.

[9] Frances Beall Knight from Martha Beall, March 1837, owned by author.

[10] Wm. M. Beall from R. B. Taney, March 9, 1837, Md. Hist. Soc.

your friendship on this sad occasion. If my Uncle J. Taney is in Frederick please let him know, and ask him to meet me at the depot.

Most truly your friend,
R. B. Taney

Young Martha Beall relayed the news of this sad event, also, to her sister, Mrs. John Knight: [11]

> He [Mr. Taney] requested Papa in the letter to be so kind as to meet the corps [*sic*] at the cars. Papa, Mamma, Cousin Martha Hanna and myself went down to the depot to meet the cars and walk up with them. None of the family came up but Mr. Taney and Mr. Campbell, his son-in-law. A hack was there for any that wished to get in. There being no ladies there but our family, Mr. Taney wished us to get in; but here came Mr. and Mrs. Hughes. The latter was the only lady walking, so Papa begged her to get in and me to get out; but she refused thinking she might meet with some other females. So I with my *pink satin bonnet* was one of the chief mourners! Mr. Taney told Papa that he intended paying us a visit before church time, it being Sabbath morning, but he was obliged to leave here for Baltimore in the cars at 10 o'clock, his three youngest children being ill with the whooping cough. Mr. Taney mentioned having seen you and sister Mary in Baltimore.

Another funeral procession soon followed that of Miss Dolly Taney, for William Beall's father, Elisha, in his ninety-third year, succumbed from the effects of attending the grand concourse in Frederick in honor of ex-President Jackson. The feeble old man, who had served throughout the Revolutionary War as First Lieutenant in the Maryland Line, Flying Camp, had come into town from Beallview for the event. The inclement weather, however, had proved too much for the aged gentleman, and he was put to bed, with a fatal chill. *The Frederick Herald*, after eulogizing his life and works, ended its account with a fragment of a poem:

Sure the last end
of the good man is here. How calm his exit.
Night dews fall not more gently to the ground,
Nor weary, worn-out winds expire so soft.

Then again quiet returned to the small town of Frederick.

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[11] Letter to Frances Beall Knight from Martha Beall, March 1837, owned by author.

Martha Beall later married Samuel Hunt of Frederick, and moved with him to Baltimore, where Mr. Hunt opened a thriving leather-goods business on Baltimore Street. Mr. Hunt was an official of the Temperance Union, and a mainstay of the Hunt Church in Riderwood. His portrait is now in the Vestry Room.

General Jackson lived eight years longer, in ill health to be sure. William Murdock Beall survived the Hero of New Orleans by two years, while Roger Brooke Taney lived until 1864, long enough to see his famous and controversial Dred Scott Decision become one of the strong pressures that threw the country into the turmoil of civil war. A contemporary of the Chief Justice, John H. B. Latrobe, wrote of his appearance:[12]

> When Mr. Taney rose to speak, you saw a tall, square shouldered man, flat breasted to a degree to be remarked upon, with a stoop that made his shoulders even more prominent, a face without one good feature, a mouth unusually large, in which were discolored and irregular teeth . . . dressed always in black, his clothes sitting ill upon him, his hands spare with projecting veins . . . in a word, a gaunt, ungainly man. His voice too, was hollow, as the voice of one who was consumptive. And yet, when he began to speak you never thought of his personal appearance, so clear, so simple, so admirably arranged, were his low-voiced words . . . There was an air of so much sincerity in all he said it was next to impossible to believe he could do wrong. Not a redundant syllable, not a phrase repeated. . . .

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[12] Raphael Semmes, *Baltimore As Seen By Visitors* (Baltimore, 1953).

SIDELIGHTS

THE CONDUCT OF BUSINESS IN BALTIMORE, 1783-1785:

as seen in the Letterbook of Johnson, Johonnot, and Co.

By Rhoda M. Dorsey

On December 23, 1783, the *Maryland Journal* carried the following advertisement:

> HENRY JOHNSON
>
> has opened a STORE under the firm of
>
> JOHNSON, JOHONNOT, AND CO.
>
> The lowest store on Mr. Jesse Hollingsworth's Wharf,
> where they have for sale,
>
> CORDAGE, SMALL CABLES FOR VESSELS OF
>
> 40 or 50 tons; Madeira, Teneriffe, Lisbon & Calcavella WINES; London Porter, in Casks; Bohea Tea, per Chest; West-India Rum; New England Rum, in Barrels & Tierces; Liver-oil; Mackerel; pickeled Cod; pickled Salmon; cheese; half-bushels; Cedar Buckets; Iron-Ware; Tea-Kettles; Skillets &c and a Number of other Articles.—CASH OR COUNTRY PRODUCE will be taken for those Articles.—
>
> ☞ Whiteoak Hogshead and Barrel Staves and Heading are WANTED —Also Two handsome Figure-Heads for small Vessels completely painted & decorated.

This was the first public announcement of the opening of the Baltimore branch of the Boston firm of Johnson, Johonnot, and Co. The three members of this firm, Henry Johnson and Francis and George Johonnot, were probably half-brothers and the third generation of a Huguenot family of merchants and distillers.[1] Previous experience at sea and in trade made Henry Johnson, the eldest brother, familiarly referred to as "The Captain," the leading spirit in the firm. His half-brother Francis Johonnot, then aged 29, was an expert distiller, and seems to have assumed responsibility for running the family distillery in Boston after the death of his father in 1775. George Johonnot, aged 27, was the junior member

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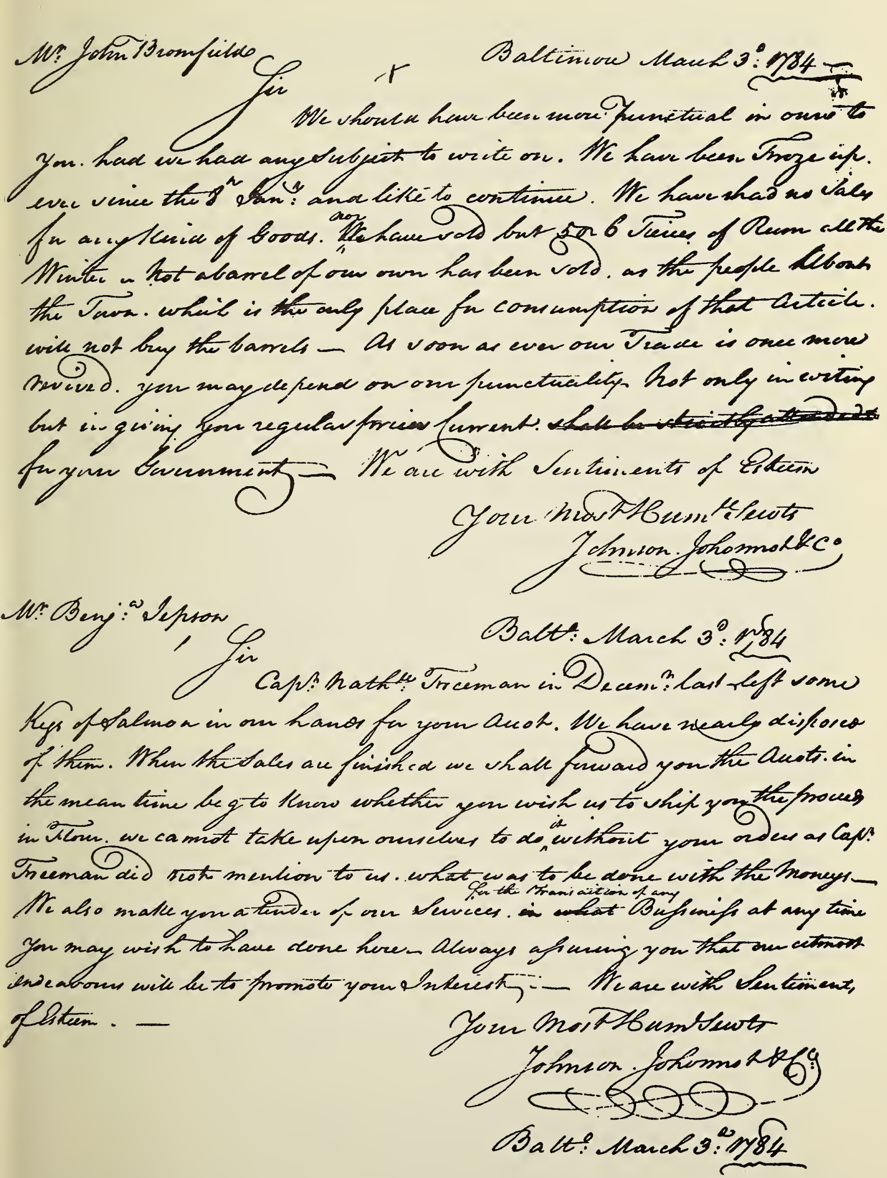
[1] This paragraph is based on material found in *The New England Historical and Geneological Register,* VII (Boston, 1853), 141-44 and in the Johnson Johonnot Letterbook in the Md. Hist. Soc., hereafter cited as JJLB.



Mr. John Bromfield
Baltimore March 3d. 1784

Sir

We should have been more punctual in ours to You. had we had any Subject to write on. We have been Froze up. ever since the 8th Jany. and like to continue. We have had no Sales for any Kind of Goods. nor We have sold but 5 or 6 Tierces of Rum all the Winter & Not a barrel of our own has been sold. as the people About the Town. which is the only place for consumption of that Article. will not buy the barrels — As soon as ever our Trade is once more revived. you may depend on our punctuality Not only in writing but in giving you regular prices Current. ~~shall be strictly attended~~ for your Government — We are with Sentiments of Esteem

Your most Humble Servts
Johnson Johonnot & Co

Mr. Benja. Jepson
Baltd. March 3d. 1784

Sir

Capt. Nathl. Freeman in Decemr. last left some Kegs of Salmon in our hands for your Accot. We have nearly disposed of them. When the Sales are finished we shall forward you the Accots. in the mean time beg to Know whether you wish us to ship you the proceeds in Flour. we cannot take upon ourselves to do it without your orders as Capt. Freeman did not mention to us. what was to be done with the Moneys — We also make you a tender of our Services. ~~in what~~ for the transaction of any Business at any time You may wish to have done here — Always assuring you that our utmost indeavours will be to promote your Interest — We are with Sentiments of Esteem. —

Your Most Humb Servts
Johnson Johonnot & Co

Baltd. March 3d. 1784

Two business letters, from the Letter Book of Johnson, Johonnot, and Company, in the manuscript Collection of the Maryland Historical Society.

of the firm in experience and capital investment. He had some business experience and had undoubtedly helped at the distillery, for he had great interest in the distilling and "doctoring" of liquors, but he was described by Henry as a "timid young man." [2] All three were bachelors.

In 1953 the Maryland Historical Society acquired a letterbook of the Baltimore branch of Johnson, Johonnot, and Co. It contains the outgoing correspondence of Henry Johnson from November, 1783 to May, 1784 and of George Johonnot, his successor, from May, 1784 to February, 1785. Although it is possible from these records to reconstruct the case history of a New England commission house venturing into the Baltimore market in this period, the present discussion has used the letterbook as raw material for general economic and social rather than specific business history. Through the correspondence of these transplanted New Englanders run scattered comments that indicate much about certain facets of Baltimore life and development after the Revolution.

The precise reasons for the establishment of a Baltimore branch of Johnson, Johonnot, and Co. are not known from the firm's correspondence, but it may be assumed that, like many New Englanders, Johnson and the Johonnots hoped to profit from the exodus of British traders after the war and take over a larger share of the carriage of Southern goods. Fastgrowing Baltimore looked inviting for many reasons. In February, 1784, Henry Johnson told a Portsmouth correspondent that the people of Baltimore ". . . have very few vessels of their own. Chief of their Trade is carried on by strangers." [3] He had earlier claimed, in writing to Boston, that "The people of this country had rather freight in the vessels of New England than any others as they know the[y] will despatch there buseness imediatly." [4] Whether this was true or not,[5] Baltimore offered more than freight.

> Only one advantage attends the importation of that Article [wheat] from here beyond Virginia, which is, that there are exports from your Country which will answer here by fetching an advanced price, . . . Virginia is not sufficiently populous to render exportation to any one port from you an object worth attention—there is one thing worth notice of every owner of a Vessel Trading to the Southward that the worm in the summer season is very destructive to ships in Virginia While we are wholly free from them here.[6]

To Johnson, Johonnot, and Co. Baltimore not only presented opportunities; it also held business friends who were able to give the new firm advice and financial backing when needed. Chief among these friends in Baltimore were Mark Pringle of the established firm of Ridley and Pringle and David Stewart of Stewart and Plunket. In Philadelphia, closely linked to Baltimore by bonds of trade, superior credit facilities and generally more advanced economic development,[7] was the house of Hewes and Anthony to whom Henry and George wrote often, ". . . being but young begginners & you experienc'd persons." [8] The backing of such firms was of great importance considering the state of the Baltimore market subject, as will be seen below, to periodic gluts and a chronic scarcity of cash.

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[2] Henry Johnson to Hewes and Anthony, April 24, 1784, JJLB.

[3] Henry Johnson to Noah Parker, February 21, 1784, JJLB.

[4] Henry Johnson to Henry Newman, January 14, 1784, JJLB.

[5] The correspondence of Christopher Champlin of Newport throws some doubt on this statement. *The Commerce of Rhode Island,* Collections of the Massachusetts Historical Society, 7th series, X (Boston, 1915), 179, 210.

[6] George Johonnot to Hodijah Bayles, August 16, 1784, JJLB.

Henry Johnson and his half-brother Francis Johonnot came to Baltimore to make arrangements for setting up in business probably in the summer or fall of 1783. They purchased land for a distillery and procured space on Jesse Hollingsworth's wharf at Fells Point on which they began to construct a store about which they boasted,

> . . . there is not a House in the commer'l line who have a store on a wharf except Purviance and us, therefore all them charge draggage. We charge rolling into the store which does not amot to half that— [9]

In November, Francis left for Boston to look after the distillery there and Henry continued alone in Baltimore. Where Henry lived in this period is not revealed in the letterbook, although his lodgings were simple. Intent on his work, he apparently cared little for personal comfort, disdained the use of a feather bed and slept instead on ". . . his old cot slung in the house with his Mattress in it. . . ." [10] George's arrival in March, 1784, brought some changes for he sent for comfortable furnishings, urged an elder sister to come from Boston to keep house for him, and went house hunting. He found nothing immediately suitable, but was not discouraged, since he reported in August that " . . . houses are dayly to be had & their Rents falling— . . . there are not less than 700 now building, erected this year— " [11]

Johnson, Johonnot and Co. was established primarily as a New England commission house, to deal with goods sent from New England or in New England bottoms. Like commission merchants everywhere, the firm received cargoes and sold them; filled orders for all kinds of goods; freighted and loaded returning vessels; collected bills; and arranged insurance. The major business of receiving and discharging cargoes was performed at a fixed rate of 5% for receiving and 2½% for discharging. In Boston, 2½% each way was the normal rate, but Johnson, Johonnot justified the higher Baltimore rate by stating flatly that it was ". . . not equal your 2½ as our Rents and Living is so enormously high— " [12] Indeed their charges were not exorbitant since, " Many charge 5% ea: way, we 5 and soly 2½ returns. . . ." [13]

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[7] On the relationship between Baltimore and Philadelphia at this time, see James W. Livingood, *The Philadelphia-Baltimore Trade Rivalry, 1780-1860* (Harrisburg, 1947), Ch. I and Jane N. Garrett, " Philadelphia and Baltimore, 1790-1840: A Study of Intra-Regional Unity," *Md. Hist. Mag.*, LV (March, 1960), 1-13.

[8] George Johonnot to Hewes and Anthony, July 8, 1784, JJLB.

[9] George Johonnot to John Bromfield, August 18, 1784, JJLB.

[10] Henry Johnson to Hewes and Anthony, April 24, 1784, JJLB.

[11] George Johonnot to Henry Johnson and Francis Johonnot, August 22, 1784, JJLB.

[12] George Johonnot to John Parker, December 1, 1784, JJLB.

[13] George Johonnot to John Bromfield, August 18, 1784, JJLB.

There was further justification for the higher Baltimore rate in the tact that, due to the conditions of the market, the capital of the commission merchant was tied up for abnormally long periods. There were several reasons for this.

> We know the Necessity of Dispatch & never are able to sell a whole Cargo before a Vessel must sail we therefore make a rough estimate of a Cargo & put on Board its Value whether sold or not. . . .[14]

Imported goods were, however, sold in Baltimore only on long credit, while the major export product, wheat, was sold only for cash.

> There is so little Circulating Medium at this Market that Credit is general & expected by every purchaser of Imports while exports are always Cash in hand therefore were we to remit for every Consignment we receive & which is too generally expected we ought to possess such a Capital as would induce us to follow a much more profitable line of business—[15]

Moreover, the glut occasioned by the arrival of many boats in a small port frequently led commission merchants to hold imported goods until prices should rise or at least until the boats had departed, since

> When these Vessells arrive the priviledges of the people and Capt. are always Sold lower than the Merchts sell at which for a time Supplies the retailers & after the Vessells are gone we have then an opportunity of getting our own price.[16]

The projected distillery, while a traditional family business, was also regarded as a way of meeting some of these problems. It would use the West Indian goods which New Englanders could bring to exchange for wheat; it would supply the local market and thus bring more ready money to the firm.

The success of any commission firm depended on the reliability, energy, and number of its correspondents. It was to this point that Henry addressed himself after Francis' departure. The brothers had come from Boston with certain correspondents already engaged and were doing business for them in November and December. Of these, Daniel Sargent, John Bromfield, John Boies, and Stephen Higginson in Boston and Noah Parker in Portsmouth were the most important.

To increase the firm's connections Henry took the usual course of writing a number of soliciting letters to Europe, the West Indies, and parts of America, describing the firm and the opportunities presented by the Baltimore market. To a Bordeaux house Henry suggested that good claret, a little oil, capers and anchovies would sell in Baltimore.[17] Writing to the West Indies, he suggested the possibility of evading the restrictions of that trade.

> . . . Should your port be shut against the Americans, you then will have an opportunity of doing something Clever here under the French flag, as you will

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[14] George Johonnot to John Boies, December 17, 1784, JJLB.

[15] George Johonnot to Jeremiah D. Stimson, January 21, 1785, JJLB.

[16] George Johonnot to Isaac Codman, August 10, 1784, JJLB.

[17] Henry Johnson to Barton, Johnston and Co., Bordeaux, December 27, 1783, JJLB.

> certainly have it in your power to supply the Continent with Molasses & Sugar on better terms than the Americans. . . .[18]

None of these letters brought the house any foreign business during the years covered by the letterbook; the bulk of their connections was on the continent, and particularly with New England.

Extending New England connections was by no means an easy task. Henry wrote more dutifully than optimistically to the major merchants of Boston, Beverly, Portsmouth, and Providence trading to the south. But he admitted to Thomas Halsey of Providence, "We cannot presume to sollicit your Business as you have several Gentlemen here from your Town who we suppose you would prefer" [19] and commented ruefully to his brother, "You cannot expect to wean those Salem people from Carey & co. it is a good house and rich." [21]

Among smaller, newer merchants the firm clearly had more chance of success. Henry therefore urged his brothers to make the firm known to the North End bakers in Boston, and he undertook to meet all the New England captains in Baltimore. Once he bribed a captain from Cape Cod who entered port unassigned to place his cargo with the firm, and he offered his services without charge and often without enthusiasm to captains whose ignorance was a sore temptation.

> I shall give him some little assistance to endeavour to get ourselves established in the Eyes of these people—The said Captain is the damnest fool I ever saw—I have a great mind to milk him don't know but I shall— [21]

Once a connection had been established, the firm did all in its power to keep its clients with profitable transactions of their business and a constant stream of letters from Henry and then George. These dealt with specific business affairs and general economic conditions, but frequently carried additional counsel about cargoes, ships, or captains. George wrote a Boston firm about one of their captains,

> while altho a married man, he was to frequently with lasses of easy virtue & neglected his duty . . . he stopt at Annapolis on his way out and with a fair wind to see a Doctor & get medicine after which he was so bad as to be unable to stand the Decke & we fear he has put in somewhere till he is cured.[22]

To another firm he suggested a more profitable line of trade:

> Great Voyages have been made in bringing Redemptioners & Servants from Ireland & Germany—We are credibly informed that the Ship Revolution belonging to Messrs Cabot of Beverly clear'd them 1300 Gu[inea]s from Ostend by bringing Servants.[23]

Letters never failed to stress the diligent pursuit of the correspondent's interests, as when Henry Johnson declared to Daniel Sargent, "We shall turn Fishmongers & retail out by the Single fish that we may be able to obtain a living price." [24] To preserve a connection once made goods were held long periods for a rise in price and small shipments sometimes reported sold when they were still on hand. Wary of competition from all quarters, the brothers reported to each other gossip about freights, commission "deals," ship ownership, and to their correspondents vigorously defended any aspersions on their business ability.

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[18] Henry Johnson to James Dimice, Cape Francois, November 8, 1783, JJLB.
[19] Henry Johnson to Thomas Halsey, April 4, 1784, JJLB.
[20] Henry Johnson to Francis Johonnot, April 13, 1784, JJLB.
[21] Henry Johnson to Francis Johonnot, March 16, 1784, JJLB.
[22] George Johonnot to McLure and Boies, December 25, 1784, JJLB.
[23] George Johonnot to Searle and Tyler, December 9, 1784, JJLB.

> A person from Balte. has acquainted you that the people here are not punctual, it is true many are not so . . . but those who are can more readily & extensively obtain Credit it has ever been our endeavour to be so, we have the Credit of it & reap great advantage by it nor will we (if possible to avoid the contrary) sacrafice our reputation on any account however indifferent others may be about it & the man who told you it is an insinuating busybody who is using every art to gain business here at the expense of others & is wholly ignorant of it himself. . . .[25]

If all else failed against competition or complaint, a plea to provincial loyalty was tried:

> Let us trade together like friends & countrymen & not throw our business into the hands of those whom N. Englandmen are to consider as foreigners.[26]

In addition to maintaining the correspondence, Henry had many other activities to occupy him in November and December. He handled the few cargoes that came in, supervised the completion of the store on Hollingsworth's wharf, and thought much about the future. He believed timber could always be imported to Baltimore with profit and considered buying a ship, even a "grey haired" one, to engage in the timber trade. He thought about stocking retail stores in Baltimore and Virginia. He spent long hours studying plans for the distillery and caculating the cheapest means of getting house and equipment made and installed. Until the distillery was erected he urged the desirability of gaining some income from a bakehouse, ". . . as we can carry Bread as Cheap to New England as they can bake it there, or Cheaper on Accot of the advantages of purchasing flour low, and we can send it in Bulk." [27] By purchasing flour low, Henry meant exactly what he said, for he proposed that baking be done ". . . out of Flour that will not bear Inspection which is not perceptible in Bread." [28]

Throughout December Henry looked forward to the arrival of his younger half-brother George, especially since he wished his assistance in the store and in establishing connections in Virginia. Always business minded, he advised George to ". . . set off in a Clever Sley to get as far as he can on with it, as there are no such things here, or at least they are very scarce." [29]

[24] Henry Johnson to Daniel Sargent, January 2, 174, JJLB.

[25] George Johonnot to John Bromfield, September 4, 1784, JJLB.

[26] George Johonnot to John Bromfield, August 18, 1784, JJLB.

[27] Henry Johnson to Francis Johonnot, January 10, 1784, JJLB.

[28] Henry Johnson to Johnson, Johonnot, and Co., December 26, 1783, JJLB.

[29] Henry Johnson to Johnson, Johonnot, and Co., December 26, 1783, JJLB.

Before George and the sley arrived, however, the ice did. From January 8 to March 25, the harbor was frozen, business came to a halt and Henry, alone, had ample time to describe the situation and his reaction to it to his correspondents. Initially he took care to explain what the freezing of the harbor meant to Baltimore:

> Our trade at present being chiefly with the Country round us here Consequently the demand for Goods is not so great, as our dependence is on our Eastern & Western Shore Trade by water that being finished on accot of the ice, making Business dull at present.[30]
> Trade is at present dull owing to our Trade by water being stopt *in Consequence of the Rivers being froze up,* which is our greatest support, our Trade by Land being trifling to the other.[31]

As February passed, he became concerned with the financial aspects of the freeze:

> I have no news to comunicate to you, except the scarcity of cash which is horrible—A Bank is on foot to be established here by May next—If that should take place I am in hopes we shall do better. It will give us nearly all the Bay Trade.[32]

On the first of March between restlessness at the inactivity and sympathy for the suffering of those on the boats caught in the ice, he could still joke:

> We have several Vessels in the Bay driftin about—The Bermudians have their Supply of Corn from Norfolk on Sleas from that they Transport it to Antigua on the same Vehicles— [33]

But by March 8, he was out of patience and wrote to Francis,

> I have to say you are a hell of a fellow for Swearing. Have not I wrote you every post that we are froze up, and no Business is doing here, in that Case how the Devil can I give you a price Current. I wish to God the Ice would go that we might have somebody to purchase then we should know what Goods are worth. Tell your correspondents that all the Business is done by Water at Balto. The Instant the harbour is froze up & Trade is totally stagnated.[34]

With the market idle, Henry had time to write fuller observations about Baltimoreans (". . . they are naturally indolent here")[36] and the Baltimore market:

> People in general prefer the Claret in Bottles tho' the Cask maybe equally as good, as the Bottle—Bottles are very scarce here & very few know any thing of bottling off their own Liquors here.[36]
> Mackarel is not so material for this reason—the poorer of people eat the Mackarel and the Richer eat of the Cod which will not go down here without *Butter & Eggs*—the poor are not able to purchase these Articles.[37]

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[30] Henry Johnson to Daniel Sargent, January 2, 1784, JJLB.
[31] Henry Johnson to Enoch Brown, January 6, 1784, JJLB.
[32] Henry Johnson to Francis Johonnot, February 24, 1784, JJLB.
[33] Henry Johnson to Francis Johonnot, March 1, 1784, JJLB.
[34] Henry Johnson to Francis Johonnot, March 8, 1784, JJLB.
[35] Henry Johnson to Noah Parker, February 21, 1784, JJLB.
[36] Henry Johnson to Enoch Brown, January 6, 1784, JJLB.
[37] Henry Johnson to Howes and Downes, March 3, 1784, JJLB.

The bachelor captain was even reduced to thoughts of matrimony, writing to Francis, ". . . as you say those Infernal cold nights are rather too bad to lay alone." [38]

No one greeted the end of winter more gratefully than Henry and George who had arrived in mid March. On March 25 the ice broke and Henry reported,

> Seventy Sail or Ships & smaller Vessels came up yesterday to Fell's Point, & part of them to the Basin. We broke thro' the Ice to get some of them up to the County Wharfe, it at present is 8 inches thick in the Basin. . . .[39]

With the opening of the harbor, a sloop that Henry had loaded in January finally got free, and he reported to his impatient brother, "As to the sloop, she is at length sailed. You should have asked God Almighty not me, how she came so long froze up." [40]

It soon became apparent, however, that the resumption of trade brought its own problems to the Baltimore commission merchant. The "seventy sail" and more landed their goods, glutted the market and made profitable sales out of the question. Loading with flour and bar iron, they soon stripped the town of these commodities at a time when bad roads made it difficult to get more from the country. As usual, money became scarcer and scarcer. Trying to sell cargoes from New England and the West Indies and load the ships consigned to them, Henry and George found themselves low on cash, low on flour, but high on rum and unpaid bills. Complaints began to fill their letters:

> We have little to say except on the subject of the scarcity of moneys in this country. Not above half enough for the Trade & hardly that . . . that we are entirely stagnated as to Business. Very little is done except Vendues. Goods are sold for nothing. . . .[41]
>
> We find it impossible to collect Cash from the retailers after we have trusted them. . . . If we had not two or three freinds we should be obliged to hang ourselves.[42]

Faced with such problems, Henry and George stored their fish, molasses, and rum; ordered flour shipped from Philadelphia; cursed the general situation; and clung to the forlorn hope that at least these conditions would get rid of foreign merchants, for "Our Vendue's ruin the merchts but we think it is impossible for the European Adventurers to stand long among us at the Rate their goods are sold there." [43]

The troubles of the firm were heightened by the fact that many shipments from New England were of poor quality. Despite Henry's repeated urging that only good produce be sent to Baltimore, he received low grade fish; fish barrels packed with shad on either end and menhaden, an unpopular fish in Baltimore, in the middle; and such bad rum that he was led to remonstrate with their biggest correspondent:

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[38] Henry Johnson to Francis Johonnot, March 1, 1784, JJLB.
[39] Henry Johnson to Stephen Higginson, March 25, 1784, JJLB.
[40] Henry Johnson to Francis Johonnot, March 25, 1784, JJLB.
[41] Henry Johnson to Daniel Sargent, April 24, 1784, JJLB.
[42] Henry Johnson to Francis Johonnot, April 27, 1784, JJLB.
[43] Henry Johnson to Hewes and Anthony, May 8, 1784, JJLB.

> The West India rum you shipped with us is so weak that one drop more water added to it would make only confort grog—I expect Every morning that I Come to the store to see it froze which makes the people turn up there noses. . . .[44]

The experience of this first winter and spring in Baltimore was so sobering to Henry that in May he took time to write a lengthy review of the firm's commission business on the theme of "General Imports Don't Pay."

> . . . the hops are on hand & will neither fetch here or at any other market near the cost, the hollow ware is almost all on hand owing to immense quantities of a superior quality from England, the Porter still in hand & an inevitable loss must ensue from its bad quality & the little use of it here, the Jama rum still on hand & the same Kind selling at Auction for . . . , the Keggs going very slowly, the 3 hhds fish oblig'd to send to the Havanna, the Oyl still on hand, the Choce & most of the candles on hand, the Cheese we shall probably make something by, the Molls and first Rum will turn out well, setting them aside, on all those enumerated we are certain of a loss, which the profits on the other things will by no means, bring up. . . .[45]

Faced with such an unprofitable inventory, Henry proposed that the firm stop its general commission business and deal only in shipping flour at Baltimore and in distilling rum in Boston. Before Henry could do anything concrete with this plan, however, he was called to Boston by what appeared to be the fatal illness of Francis. Although Francis recovered, Henry remained in Boston and from mid May George was alone in Baltimore conducting the affairs of the house.

George had not been happy in Baltimore on his arrival. The weather proved so unexpectedly cold that at the end of April Henry repeated an urgent request to Francis, "George intreats you to send on his winter cloathes as he is certain he is got to the northward of Greenland where there is no Summer & you have unfortunately ship'd only his Summer Cloaths." [46] He missed his friends in Boston and was plagued by recurrent bouts of illness. Finding Baltimore decidedly lacking in comparison to Boston, he sent home for everything from signs to hay, from shoes to mattresses, convinced that the northern product was better and cheaper. In one letter he requested,

> I have wore out your tooth brush & cannot buy one in the place, beg you will purchase 3 or 4 & bring or send on. . . . If you can, buy two proper Desk Knives that the blades are fix'd in the handles without Springs to open or shut, as we have lost several by their being pocketed.[47]

His opinion of Baltimoreans was as low as Henry's had been:

> . . . there is no part of the continent where Industrious Mechanics of every kind meet with such encouragement as here particularly those who understand anything relating to a Vessell or its appendages, there is not a good Ships Carpenter in the place, those here are mere botchers & have such Wages as raises their fortunes in a few years. . . .[48]

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[44] Henry Johnson to John Bromfield, January 10, 1784, JJLB.
[45] Henry Johnson to Francis Johonnot, May 4-7, 1784, JJLB.
[46] Henry Johnson to Francis Johonnot, April 28, 1784, JJLB.
[47] George Johonnot to Henry Johnson, July 27, 1784, JJLB.
[48] George Johonnot to Noah Parker, May 29, 1784, JJLB.

> The Mare is brought home & unluckely with fole from (I suppose) some dam'd old Cart stallion. She is ruin'd in my opinion from this circumstance & her lameness, not have recover'd it, nor is there a person here that I can find sufficiently skill'd in horses to know what to do with her.[49]

Only gradually did some of his feelings change so that by August he could write that he was ". . . now well reconciled to his Situation & his Sighs for dear Boston and environs become less frequent." [50]

After the first rush of trade in April and May, George was kept fairly busy until July when harvest time brought a slackening of business. He thus described the rhythm of the Baltimore market to a Boston correspondent:

> From the Commencement of harvest to its Completion, slow sales are made, as the farmers previously lay in their Stock & are too much engag'd to come to Market. this almost inactive state in the Sea ports continues abt 6 weeks, when trade again revives & moderate Sales are made 'till fall & then business goes on rapidly till winter. Little is done again till Spring when & during Summer it again revives.[51]

Slack trading led him to take inventory, and in July he lamented to Henry,

> Business is excessive dull here and the greater part of Nailer Hatch's cargo is on hand as likewise the Rhode Island Packet's which is principally stor'd with us & such a quantity of Havanna Sugars we have had stor'd as to break the main beam of the second floor.[52]

He therefore bent all his efforts to getting rid of the goods on hand, sending them to Philadelphia or New York when they proved unsaleable in Baltimore, placing some in Virginia for sale, and "doctoring" certain goods to make them sell in Baltimore. He reported to Henry that "Old Jamaica Spirits in 40 gallon Gasks has been selling at Vendue for 6/, 6/6, and even 7/ this led me to try two Hhds of our which I drew off in just such casks but it has such a horrid Smell that it got no higher than 3/3." [53] Trying to sell some bad fish he had no better luck despite ". . . all our art and expence to make them appear better. . . ." [54]

The quantity of goods on hand led him to complain sharply to correspondents about the quality of their goods. To John Bromfield, whose rum was poorly casked, he commented, "We fortunately placed the Casks in the middle loft of a Store which was Very Cool that whenever a leak took place we readily Discovered it by its running below." [55] To Henry he wrote, "Your last Cod were almost perished when they arrived & I was glad to get them out of the Store." [55] He toyed with the possibility of shipping goods without paying impost and wrote Henry,

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[49] George Johonnot to Harry Johnson, July 13, 1784, JJLB.

[50] George Johonnot to Henry Johnson and Francis Johonnot, August 3, 1784, JJLB.

[51] George Johonnot to Howes and Downes, August 16, 1784, JJLB.

[52] George Johonnot to Henry Johnson, July 13, 1784, JJLB.

[53] George Johonnot to Henry Johnson, September 14, 1784, JJLB.

[54] George Johonnot to Howes and Downes, August 16, 1784, JJLB.

[55] George Johonnot to John Bromfield, August 8, 1784, JJLB.

[56] George Johonnot to Henry Johnson, July 27, 1784, JJLB.

> the Dutys may be saved by Shipping it unknown to the Capt. so as not to clear it out there or Enter it here in Such case the Mate might give a Rect for it & the Capt with safety Swear to the truth of his manifest that it is all the Cargo he has on Board to his Knowledge, it is lying at the mercy of the mate, but a clever fellow might be got who would be honest.[57]

Despite all his efforts, however, by September much still remained in the store:

> What thinks you Broke the main beam—180 boxes wg. upwards 50 Tons of Havanna suggr in the middle loft these are removed and B[romfield]'s largest Tierces supply the place, the 40 to 50 Gall. Casks above that & 24 Hhds N. E. Rum & pickled fish below. . . .[58]

In addition to selling and shipping goods on hand and dealing with current cargoes, George was also busy with plans for the bakehouse. In August he reported that he had procured Spear's bakehouse, located on a small island connected to land near what is now Gay Street by 1000 feet of wharf,[59] and a baker, interviewed initially by Henry in Boston and presumably a New Englander.

Early in the summer George, reflecting Henry's ideas, expressed dissatisfaction with the general state of the business, and urged concentration on flour. By August, he was more optimistic, writing that the business ". . . has increased beyond my most Sanguine Expectation . . ." [60] and stating proudly that "Our reputation is now so well established that we can obtain here almost any Credit." [61] Even so, he was not greatly pleased with Henry's next plan for the firm to import goods from Europe for sale in Boston and Baltimore. George was dubious of profits from this scheme and urged concentration instead on the erection of the distillery which would have to be abandoned for lack of capital if importation were begun. His change of mind regarding this proposal began in mid August when he reported, "It is imagined the imports here will not be so great next Spring as they have been—" [62] By the end of August he went so far as to state, "I am more satisfied that success will attend importation than I first apprehended as few here are disposed to import. . . ." [63] His remaining reservations were a comment upon the flourishing state of the firm in Baltimore. The press of business, his recurring illness, and the poor quality of his help had put him behind in his books and made him feel unable to handle the Baltimore branch alone. He urged Henry to return. Francis' illness, however, had left him too ill to undertake the trip abroad so " The Captain " sailed for Europe and Francis, leaving the family distillery and the Boston business in other hands, came in December to Baltimore.

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[57] George Johonnot to Henry Johnson and Francis Johonnot, September 17, 1784, JJLB.

[58] George Johonnot to Henry Johnson and Francis Johonnot, September 3, 1784, JJLB.

[59] J. Thomas Scharf, *History of Baltimore City and County,* 2 vol. (Philadelphia, 1881), I, 59.

[60] George Johonnot to John Bromfield, August 18, 1784, JJLB.

[61] George Johonnot to Henry Johnson and Francis Johonnot, August 12, 1784, JJLB.

[62] George Johonnot to Henry Johnson, August 16, 1784, JJLB.

[63] George Johonnot to Henry Johnson, August 27, 1784, JJLB.

Until that time George remained in charge of the brisk business of the firm. It was a good year for exports for George reported, " Such Strick attention is now paid by the Millers owing to their great losses by the Condemnation of their flour, last year, that Very little is now condemned. . . ." [64] If exports improved, imports did not. In October he wrote, " N. E. Rum a cursed Article likewise which the N. Englanders are crazy to be sending in every Vessell " [65] and vowed, " I have now done with all firsthand Imports & Exports except such articles as are almost Infallible here such as Potatoes, Cranberrys & I would try no more—Picked Salmon is a bad article, excessive dull & grows bad soon." [66] By December, he wrote in exasperation to one correspondent, ". . . the Codfish, Oyl, and Dumb fish are very unsaleable, the latter in particular, *You* have sent a sufficiency to stock the market & we have already on hand 30 Quintals." [67]

Despite these complaints, George obviously thought the Baltimore-New England trade was here to stay and intended to keep the firm as part of it, both for commission work and for trading on its own account, for in December he became part owner of a ship that was to engage regularly in the Boston-Baltimore run. By this time he felt more at home in the Baltimore market and in the course of his correspondence sent some excellent advice to New England merchants:

> Merchise that appears likely to do well is frequently the worst by large Arrivals that in shipment from you Some Judgment must be found from ye number of Vessels sailed & Sailing for this port with the quality & quantity of their Cargoes.[68] The place is yet so small[,] so small & so few speculators in it that a Cargo of unsaleable Merchandise or any unsaleable articles it is next to impossible to sell without great loss.[69].

Unfortunately the letterbook stops before the reader can discover the extent to which George and his correspondents heeded his advice. It is known that, whatever the fortunes of the firm in Baltimore, eventually all three brothers returned to New England to live, marry, and die. In view of this fact, it is not inappropriate that one of the final letters in the letterbook should contain yet another comparison of the small town of Baltimore with the metropolis of Boston. " We would readily send you the smoaking Tobacco but it is not to be had here & tho a Tobo Country they Smoak & Chew far inferior to any generally used in Boston." [70]

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[64] George Johonnot to McLure and Boies, November 25, 1784, JJLB.

[65] George Johonnot to Henry Johnson and Francis Johonnot, October 2, 1784, JJLB.

[66] George Johonnot to Henry Johnson, October 15, 1784, JJLB.

[67] George Johonnot to Daniel Sargent, December 11, 1784, JJLB.

[68] George Johonnot to John Boies, December 17, 1784, JJLB.

[69] George Johonnot to McLure and Boies, December 25, 1784, JJLB.

[70] George Johonnot to McLure and Boies, January 31, 1785, JJLB.

A BALTIMORE REBEL, 1861

The following letter was written by the Rev. Edward A. Colburn, who was born in Baltimore July 20, 1830, the son of Dr. [?] Harvey (or Hervey) and Elizabeth (Knight) Colburn. On being ordained he was made assistant rector of St. Luke's Church, Baltimore, and in August 1861, moved to Harford county where he assumed charge of Trap Church. In 1861 he became rector of Holy Trinity Church, Churchville, where he served until his retirement in 1904. The letter was presented to the Maryland Historical Society by Layton Rogers Colburn of Delray Beach, Florida, the grandson of the Reverend Mr. Colburn. It is reproduced as originally written, and sheds light on another incident of the Civil War.

> Disloyal—Jacob Enfield, arrested Nov 18th, charged with disloyalty, and displaying a rebel flag, was yesterday sentenced to six months' hard labor at Fort Dix.

Rectory, Dec. 5th/64.

My Dear Father:

Above, you read a slip cut from the Sun of to-day. Jacob Enfield's wife is a member of my congregation, and a communicant—a most estimable, though uneducated person. Mr. Enfield himself is a Presbyterian—but a very excellent man. I can express the same opinion of all his family.

You see he is charged with displaying a rebel flag. There is some mistake here. He had an old flag—with the names of Buchanan and Breckenridge on it. He had written on a piece of paper, McClellan and Pendleton—and pasted that paper over the other names. He hung the flag, thus fixed, upon the side of his barn—but a rain coming, washed off the paper, leaving the old names. This will tell what kind of a flag it was. He was arrested and taken to Balt,—where he was confined in the city jail—till the day when sentenced to work on Fort Dix. He has always been a strong southern man—but still I have always found him not unreasonable. About the time of the election, he took this flag to various meetings—and was very imprudent in his display of it. He is an uneducated man—yet, hard working.

Can anything be done for him? His family are in a great deal of trouble about his arrest—but do not yet know of his sentence. Cannot some of you, who are in the interest of the government, present this statement to some one, who has power to move in his behalf. I feel anxious on his wife's account—and on account of his farm—wh. will suffer from his absence.

We are all very well—I may spend next Tuesday night with you. Ma went to Enfield's with me once. She will recollect him.

Accy—

Edward A. Colburn

REVIEWS OF RECENT BOOKS

Stonewall Jackson. By LENOIR CHAMBERS. New York: William Morrow and Co., 1959. 2 vols., 597, 536. Illustrated. $20.

When Colonel G. F. R. Henderson's brilliant interpretation of Stonewall Jackson appeared in 1898, readers generally felt that it was the last word on Lee's matchless lieutenant. Henderson's work proved a classic, and for more than a half century it remained virtually unchallenged in its field. In 1957 Frank Vandiver's *Mighty Stonewall* was published and it won immediate and well-deserved acclaim. Professor Vandiver dug up an abundance of new material, and his full and discerning treatment of Jackson's antebellum career, along with other solid contributions, gave his book an honored place beside that of Henderson.

Now, after a lapse of only three years, comes another, a longer and much more expensive work on Jackson. It is not surprising that readers, already submerged in a flood of Civil War publications, should raise the question: What justification can there be for another Jackson biography?

The question can be answered in both general and specific terms. Considering the general first, it may be stated that Jackson deserves to be much written about. He was a man of rare genius and remarkable achievement—one of the truly outstanding leaders of the Civil War. He was also a man of great complexity, a strange and sometimes mysterious character. He requires much study and many books to make him comprehensible. He is the sort of man who needs to be re-studied and re-interpreted, by honest, able, and well-balanced students who are willing to pay a considerable price in research and reflection. Independent appraisals, properly arrived at, will almost invariably throw new and revealing light on a man like Jackson.

Specifically, Lenoir Chambers has justified this study in several ways. First he has done a thorough job of research in both published and manuscript materials. Second, he has shown remarkably good judgment in interpreting Jackson and Jackson's associates. He does not hesitate to bring out Stonewall's weaknesses. He never tries to build Jackson up by disparaging his companions-in-arms. He does not overplay Jackson's eccentricities. He steers clear of sensationalism and other forms of trickery all too frequently employed by "popular" writers to increase reader appeal. His treatment of Jackson is sympathetic, but it is balanced and fair. Third, Mr. Chambers possesses exceptional gifts of narration. He tells his story in a simple, straightforward manner. His descriptions of marches and battles are concise and clear. He goes into considerable detail, but he is never dull or tedious. From beginning to end his account is absorbingly interesting.

Mr. Chambers cannot be credited with any striking discoveries or startling revisions. But he does introduce new and interesting detail and provide original and refreshing insights into the man and his career. His is primarily a study in depth, and as such it deserves a respected place in the literature treating of Jackson. Chambers' *Stonewall Jackson* is in every sense a distinguished biography.

BELL IRVIN WILEY

Emory University

The Papers of John C. Calhoun, Vol. I, *1801-1817.* Edited by ROBERT L. MERIWETHER. Columbia: University of South Carolina Press for the South Caroliniana Society, 1959. xlii, 469 pp. $10.

This volume, the first of a projected eight volumes, covering the entire career of John C. Calhoun, is a masterpiece of editing and editorial procedures.

Calhoun's important papers presented almost insurmountable difficulties to previous editors. The illegibility of Calhoun's script alone together with the great task of gathering the materials itself required a major job of organization, skill, competence, patience and a nearly unsurpassed knowledge of local biography, state and national history. The late editor, Professor Robert L. Meriwether, possessed all of these necessary attributes and thereby contributed a model volume of twentieth century editing.

The first issue embraces Calhoun's life in the nationalist period. This reviewer (as a student) once asked Professor Meriwether if the Calhoun project would bring any new light to Calhoun's career and the ante-bellum period. The answer " no " was a most humble lie. The volume contributes much new information to state and national history. Here are Calhoun's speeches and thoughts on the War of 1812, internal improvements, the second bank of the United States among other issues and events about which too little is known. But this work offers a rich knowledge of the period. Of the *Calhoun Papers,* Meriwether's own words are a summation; the first volume should obliterate the " merely preposterous interpretations of Calhoun " and begin the scholarly study of the forty years of his work.

R. W.

Their Rights and Liberties: The Beginnings of Religious and Political Freedom in Maryland. By THOMAS O'BRIEN HANLEY, S. J. Westminster, Md.: Newman Press, 1959. xv, 142. $2.75.

Certainly this volume is written from an interesting new viewpoint. Father Hanley, of the history department of Marquette University, in his discussion of religious freedom does not stress the Proprietor's instructions to his governor in 1633, or the famed Act of Toleration of 1649. Instead he emphasizes the ordinance enacted in 1639 by the Assembly of Maryland. He maintains that this legislation advanced the cause not only of religious but of political liberty, for the freemen here claimed—as the event proved, victoriously—the right to initiate legislation.

The main thesis of the author is that the Ordinance of 1639 derived from a tradition specifically English and completely Catholic. The proposition that the rule of the world was entrusted by the Divine will to two autonomous societies, the Church and the State, was enunciated as early as A. D. 494, the author recalls, by Pope Gelasius I and frequently reiterated in subsequent centuries. The English Catholic formulation of this concept the author traces to Sir Thomas More. He finds it developed in the writings of men influential among the English recusants, most notably Cardinals Allen and Bellarmine. The pioneer Marylanders consequently believed that Church and State were two distinct and mutually respectful powers and enacted this belief into law.

The reader cannot but surmise that this book was in its original form a dissertation for a graduate degree. The writing is obviously labored and, unfortunately, often obscure. There are factual errors and unsubstantiated assertions. While the book cannot be considered a major contribution to our knowledge of colonial America, it does take a fresh new look at early Maryland.

Senator Eugene J. McCarthy of Minnesota has contributed a thoughtful and eminently worth while foreword.

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The County Courthouses and Records of Maryland, Part One: The Courthouses. By MORRIS L. RADOFF. Publication No. 12. Annapolis: The Hall of Records Commission, State of Maryland, 1960. xvi, 175.

The archivist and records administrator, Hall of Records, Annapolis, has written and edited a valuable and handsome volume on a neglected subject, the Free State courthouse, from the seventeenth century down to recent times.

The author, realizing that the courthouses formed the setting for the early records of the State, planned to incorporate material on the buildings as an introduction to the records, but soon found that the voluminous data on the court structures deserved a tome to themselves. Consequently, a book on the State records will follow this one on the court edifices.

In the beginning of this work it is rightly pointed out that the lack of interest in preserving, or even making records of, the courthouses has made almost a clean sweep of the early examples. It may surprise some persons that it is likewise shown that only two 18th-century court buildings have survived—those at Easton and Centreville. Fire and neglect have made a blank slate of all 17th-century courthouses. The author indicates the obstacles met with in securing photographs, and other data, about these same buildings, and notes that even views of recently-destroyed courthouses were difficult to find: nobody was interested. But the copious illustrations he has presented show that his task proved both worthwhile and successful.

The work is arranged by giving to each county, starting with Allegany, a chapter about its court constructions in chronological order, including many building specifications and descriptions, as well as a short introduction about the formation of each county. A complete list of the sources of the illustrations is also given. Some fine plats, like the one of Joppa, Baltimore County, enhance the volume. Especially interesting is the old plat of the Charles County court building with 1697 additions—showing a site plan with outhouses, snake fence, a parcel of old peach trees, and stocks—although no attention seems to have been given to these items in the main text or captions.

This book sheds new light on the history of Maryland building; nonetheless there is little in the work to suggest an awareness of such discoveries. The building specifications, quoted in fine print, are rich in terms and expressions about unfamiliar forms—that is, unfamiliar today: " folding casements," " galloping joists," " wooden chimneys," " posts in the ground," and such like. This last item, by the way, means *puncheons.* This reviewer believes that this is the first record of puncheons discovered in Maryland. As far as we know, there is only one record of them found in Virginia—at Berkeley Plantation in 1619, described in *Virginia Architecture in the Seventeenth Century* (1957). Further, the " large " porch with rails and balusters built in 1687 on the end of the courthouse at Cambridge, Maryland, seems to have been an unusual specimen in a period of small enclosed porches everywhere.

Much more could have been done in the text of this volume to define for the general reader some of the difficult expressions which have been quoted, as for instance, " cage " (first mentioned on p. 11), meaning prison; " pitch " (p. 21), referring not to the pitch of a roof, but to the height between floors; " overjetted," an arrangement where an upper storey juts out over the floor below; or " forms," which are long benches without backs. The poor reader has to stumble through " stock locks," " groundselld," " gice," " halfe-paced," " lutarnes," " p[b]olections," " pinacles " (for court rooms), and many other expressions of the same kind without any help in understanding them. It is like reading a language which has not been translated. Perhaps the reader can guess that " chimneys " are fireplaces and " bannisters " balusters; nevertheless these clarifications, and others, should have been incorporated into the text.

For those interested in early court rooms, decorations, and furnishings, this work is valuable for its descriptions and pictures, especially the (wash ?) drawing of the Harford Court Room of 1791—showing naïve Victorian touches—an illustration found hanging in the judge's chambers in Bel Air.

In respect to the first courthouse in Dorchester County, this source declares that at this late date positive identification is difficult and that it is more likely that the court building is the structure on " John's Point." Nothing is mentioned of the identification twenty-six years ago that " John's Point " and the first Dorchester courthouse were one and the same, of the fact that it had a T-shaped plan, and was claimed to be the quaintest building of its century in the Free State.

Some exception has to be taken with several of the " restoration " drawings, if indeed they are intended for such. Most readers of this book will tend to accept the forms shown as literally true, because the drawings have not been captioned " purely conjectural " or " imaginary," as they should have been. For one thing, the caricature of the 1683 courthouse at the Ridge, Anne Arundel County, appears to be out of place in a serious work, and besides, the skimpy account of it quoted on page 9 gives no evidence about its external appearance other than the statement that there was a room over the court room.

Again, the drawing of the Charles County courthouse of 1675, no longer existing, has a great deal the matter with it. As drawn, the leaning chimney could not possibly stand up in the original building because of the law of gravity. After a little checking, the reader should find that the thumb nail sketch of this structure crudely represented on the 1697 plat, already referred to, has a stack which leans heavily. Experience with old plats, however, shows that in general they should not be interpreted too literally, inasmuch as they are often surveyors' field notes. To cite one important example, witness the unfortunate literal interpretation of the sketchy pew plan of 1721 at Old Wye Church which caused unbalanced aisles to be built into the restoration of that fane.

Moreover, the Charles County building is shown in the artist's drawing as a brick structure, with rectangular window panes and arched porch doorway, whereas the old thumb nail sketch reveals a clapboarded façade, diamond-pane windows, and two small front doors without arches. The author himself admitted (p. 67) it was a clapboard structure. There are others of this series of artistic delineations which appear to be partially or wholly imaginary.

The reader will enjoy Jefferson's caustic comment about the second statehouse in Annapolis, as well as some of the pithy observations of the author about Maryland court structures in general. We learn, among other things, that " courthouses are rarely built for the price contemplated," nor are they ever " completed at the time set in the contract." Besides, in normal court construction, " tempers " become short. That the second courthouse in Baltimore (1805) was badly decayed, with its records in danger, was not unusual for Maryland, because the building was in " apparently a chronic state " after twenty years of service. The part which fire has played is well emphasized in the text, and the reader will enjoy the graphic description of the Harford County fire of 1858, as well as the vivid painting of what happened to the Frederick county seat in 1861. The Frederick record office there burned likewise, but which of the two smaller structures beside the courthouse is the record office is not given in the caption. Too many of the captions in the book are vague as to place names and structure identification.

The volume makes no attempt to describe adequately the appearance, forms, details, architectural styles, construction, site plans or floor plans of the majority of the existing courthouses. Beyond one photograph, there seems to be no description of the original Queen Anne's County court building of 1794. In fact there are no measured floor plans, in spite of planning being the basis of all architecture. The other fine building—built coincidentally enough, in 1794—is the Talbot courthouse at Easton, the architect of which " is unknown." Nonetheless, this pile " was one of the largest in the State and showed signs of a careful and experienced hand." The author has taken note of the fine appearance of this courthouse which distinguished it from others of the same period, but is cautious in describing the changes of 1958, two years ago. He stated: " There have been some changes, of course." To show appreciation of the building he has presented two excellent photographs of it before the recent alterations.

It is to be regretted that an old engraving (1858) of Talbot courthouse —the earliest known representation of it—was not included in this book. At any rate the old print proves that no " restoration " was made to the façade in 1958, as claimed locally. The print shows a front doorway to have had a large triumphal arch with keystone and imposts, not the triangular pediment placed there in 1958. The architects at that time also left off the original brick front gable with flattened oval window, replacing them with a wooden, windowless gable; and omitted the chimneys and balcony shown in the fine old print. In the 1958 remodelling, all the old partitions were moved to cater to office space demands, without regard to the original floor plan of the courthouse. Further, the erection of enormous, somewhat grotesque, two-storey wings and arcades, made of a cheap grade of brick, were the direct cause of the destruction of a number of original eighteenth-century windows in the sides of the court structure. Is it too much to hope that in a second edition all these things which have happened recently to the finest courthouse in the State will be duly entered?

Especially for its source material about a selected group of Maryland buildings, both ancient and modern, this is an invaluable volume. It is scholarly and impressive. Even in the footnotes there is a wealth of material. It should make a handsome Christmas gift, a beautiful book for library display, and an important reference work.

Henry Chandlee Forman

Easton, Maryland

The Letters and Journals of James Fenimore Cooper. Edited by JAMES FRANKLIN BEARD. Cambridge, Mass.: The Belknap Press of Harvard University Press, 1960. Vol. I: 1800-1830, xlv, 444; Vol. II: 1830-1833, viii, 420. Illustrated. $20.00.

It is doubtful if, today in America, anyone save high school children or graduate students reads him who was once accounted America's greatest novelist. For this there are several reasons, and none of them affects the validity of the decision to publish all of that novelist's letters which can be uncovered. Dr. Beard, Associate Professor of English at Clark University, has been seeking them out for fifteen years. By ferreting through such unlikely repositories as, say, the Dawes Collection at Marietta College or the Davenport, Iowa, Public Museum—to say nothing of various European archives and private owners everywhere—he has assembled an impressive total. " Approximately two thirds of the material is published for the first time, and much of the remainder has not hitherto been known or easily accessible to scholars " (p. xl). Aware, however, that the most scrupulous research is fallible, the editor pleads that any reader of these pages who knows of a possibly unrecorded Cooper document communicate with him at Worcester, Massachusetts, in time for its inclusion in the final volume of the series.

Dr. Beard has dressed out his findings more than competently. Of illustrations alone there are fifteen in Volume I and thirteen in Volume II, some of them salvaged from quite obscure lurking places (such as a lithograph from a Dutch obituary on the novelist). Each volume has an Index of Recipients and of Journals, while the concluding volume will carry the master index. The annotation, ample but not overburdening, follows each document, with the chief entry on individuals appearing at the time of initial mention. Two instances where annotation is not employed but should have been: which was that " enumeration of the Am. Poets " Cooper wrote in the late 1820s? (II, 88); who was this Dr. Niles at Paris who proved such a " disgrace " to America? (II, 372). The " Billy Crafts " Cooper saw attending the North-South horse race on Long Island (I, 99) was perhaps the Charleston, South Carolina, poet and journalist William Crafts.

On the testimony of this first installment our York State author emerges as a more interesting letter writer than journalizer. His journal entries, particularly in Volume I, are often so brief as to be scrappy, and even where lengthier tend to the commonplace in observation. Nor as correspondent will Cooper usurp the status of Byron, Edward Fitzgerald, or President John Adams. He is never felicitous in style, surprising or poignant in choice of subject matter. He *is* earnest, intelligent, and well informed. Though he did not mingle wholeheartedly in European society despite the length of his stay, nor by modern standards traverse much of the European earth, the areas he knew—London, parts of France and Germany, more of Switzerland and Italy—he knew well. The result is that his *Letters and Journals* constitute a case book on that rewarding but little-explored theme: the education of the American abroad. Their two chief threads of discourse are (1) the contrast between European and American ways of life—almost invariably to the advantage of the latter—and (2) speculation about the several revolutionary movements wracking the Continent at this time. On both topics Cooper has much to say that is thoughtful and instructive. The student of literature can trace profitably here—as with Francis Marion Crawford half a century later—the European provenience behind some of the most "American" of American novels. The general reader will discover that Cooper had an unobtrusive but definite sense of humor. Marylanders will note a few familiar names, *viz.*, Cooper's refutation of the premature report of Charles Carroll of Carrollton's death (II, 325) or his London-journal entry to the effect that he "called on Mrs. David Hoffman, of Baltimore, who is just arrived. She has been presented [at Court], but does not seem to have her head turned" (II, 393). The father of four daughters, he gives an admirable, equable argument against international marriages for American girls (II, 103-104).

In sum Cooper, though a good Yale man, would assuredly concede that Harvard, with Dr. Beard, has done him proud. This project will become a capital contribution to American intellectual, literary, and social history.

Curtis Carroll Davis

Baltimore, Maryland

Anthony Wayne: A Name in Arms. Edited by Richard C. Knopf. Pittsburgh: University of Pittsburgh Press, 1960. 566. $7.

Major General Anthony Wayne's greatest service to his country was in his last years from 1792 to 1796 when he organized a new American army, subdued the hostile Indians of the Northwest Territory, and reached a settlement with them at the Treaty of Greene Ville. He thus established the authority of the United States in the region between the Ohio River and the Great Lakes, eliminating a possibility that all or part of this territory might become an Indian buffer state under British protection. His campaign in the Old Northwest is a salient episode in the formative years of the United States, when the new federal government was struggling to assert its authority against external and internal threats.

Many of the sources essential for this important chapter of American history are now published in this attractive volume, the latest of the valuable source publications of the University of Pittsburgh Press. Here is Wayne's correspondence with the successive secretaries of war during his campaign—with Henry Knox who headed the War Department from the beginnings to the victorious year of 1794; with Timothy Pickering who directed the treaty settlement of 1795; and with James McHenry who had the ungrateful task of reducing the army to a peacetime footing. All the letters come from the Wayne Papers at the Historical Society of Pennsylvania. Wayne, therefore, is represented by copies or drafts of his letters, and not by his letters as received in the War Department. No attempt seems to have been made to locate the letters sent by Wayne, although it appears likely that some survive in the papers of Knox, Pickering, and McHenry, and a few are published in *American State Papers*. Consultation of these collections might have cleared up some doubtful readings and supplied some missing passages and letters. In practice, however, there seem to be only a few instances where such checking might have been profitable. Certainly, it is worthwhile to have this correspondence as given in the main collection of Wayne Papers.

Mr. Knopf has done a good job of transcription and editing. The notes are helpful, but so condensed as to be unobtrusive. Wayne's style and that of Knox and Pickering is interesting and readable, and James McHenry's more routine letters make up but a small part of the volume. The introduction and the prefaces which tie together the letters for each year are judicious presentations of the events and facts which the reader needs in order to find the " story line " in the letters. One might boggle at writing off the Whiskey Rebellion as " little more than a taxpayers' riot " in order to enhance the significance of Wayne's campaign. Both episodes involved serious threats to national authority, but the Western Pennsylvania affair had lasting effects on state and national politics. There is a good index mainly to the names of persons and places, the illustrations are abundant and well chosen, and the bibliography will be a helpful guide to any further study of Wayne's campaign into the wilderness. This is a source book in which the ordinary reader will find much to interest him, and it will enrich the study of an important period in American history.

DONALD H. KENT

Pennsylvania Historical and Museum Commission

The Jacksonian Heritage: Pennsylvania Politics, 1833-1848. By CHARLES MCCOOL SNYDER. Harrisburg: Pennsylvania Historical and Museum Commission, 1958. ix, 256. $3.50.

Justifiably asserting that the history of the states during the Jackson Era remains a fertile field for research, Charles McCool Snyder proceeds to analyze the political developments in Pennsylvania throughout the decade and a half subsequent to President Jackson's second inauguration. Inasmuch as Pennsylvania was one of the more populous and indeed a vitally strategic state at that time, this monograph is undeniably a welcome addition to the literature of Jacksonian Democracy. The twelve chapters of the volume are dispassionately written and conspicuously well-documented. The bibliography in general and the manuscript and newspaper collections in particular are indicative of the author's noteworthy calibre of scholarship. Of considerable assistance to the reader are the statistical tables inserted in the appendix, which provide the detailed results of the presidential and gubernatorial elections of the period as well as the various congressional and senatorial apportionments.

Pennsylvania, like New England and New York, was temporarily immersed in the Antimasonic dispute, and, as the headquarters of the United States Bank, was peculiarly involved in the explosive fiscal controversies of the period. According to the author, President Jackson's personal popularity and the sensitivity of Pennsylvanians to the tariff issue were potent ingredients in the state's political fortunes. Mr. Snyder, commencing with an informative account of the geographic, social, economic, and governmental background of Pennsylvania, and concluding with a logical appraisal of the political transition paralleling the years between 1833 and 1848, merits high commendation for his contribution to a more profound understanding of Jacksonian Democracy.

PHILIP A. GRANT

St. Peter's College

The Fall of Richmond. By REMBERT W. PATRICK. Baton Rouge: Louisiana State University Press, 1960. ix, 144 pp. $4.

In *The Fall of Richmond* Professor Patrick has portrayed in detail something of life and death in the stricken city on the second, third and fourth of April, 1865. On Sunday, April 2, President Davis left the morning service in St. Paul's Episcopal Church to pack and flee about midnight with other remnants of the dying Confederacy. On Tuesday President Lincoln attended by Admiral Porter and a dozen sailors walked unmolested about the streets of Richmond and had lunch in the Davis home, at the moment occupied by General Godfrey Weitzel. On Sunday Colonel Walter H. Taylor snatched a few hours from duties on Lee's staff and married Bettie Saunders. Early Monday Mayor Mayo performed the unexpected and painful duty of surrendering the city to troops of General Weitzel. Federal troops at once rushed into the city and to the Capitol Square, tore to bits a Confederate flag, and raised atop the Capitol the flag of the United States. At once they turned to restore order and fight the fires burning before their arrival. Unable to remain in her Churchhill home, Elizabeth Van Lew walked among the smoking ruins which seemed to her a " flaming altar " on this day that advanced civilization a century and brought wonderful deliverance for the Negro. One cannot know what fears filled the breasts of matrons locking their doors at nightfall, but ere long the pacing steps of guards in lonely streets brought assurance that in the discipline and goodwill of the conqueror Richmond might sleep this night without murder or rape. Tuesday the army offered food to the destitute and began the work of rebuilding even as the *Rebecca Barton* in Washington loaded medicines and other supplies for relief in Richmond.

In 1935 parts of the Confederate flag torn to tatters in 1865 were returned by the Stamford Guards of Connecticut. Douglas S. Freeman thanked the Guards in a moving service held in St. Paul's Church.

One may correct a number of minor mistakes. John C. Breckinridge was hardly young in 1865, p. 8. The United Presbyterian Church was not " three blocks north " of the home of the Rev. Moses Drury Hoge, p. 60, and so on or near the corner of 5th and Broad Streets. It was on the corner of 8th and Franklin Streets. We believe the pastor of the Second Presbyterian Church and his nephew were named Hoge rather than as given in the text. One using the index may have trouble, for in more than a dozen cases the page number for a given item is smaller by one than it should have been.

For this reviewer Richmond was home for a quarter century and much of the detail in *The Fall of Richmond* was for him doubly exciting because of personal experience or local tradition one generation removed. He feels that the author is to be commended for his success in capturing so much of the past and giving it to the present with so much vitality. This is the kind of book one finds it hard to lay aside, even for sleep. After reading this book one asks himself again and again why any one reads novels when he can read history as exciting as this.

THEODORE M. WHITFIELD

Western Maryland College

Generals in Gray: Lives of The Confederate Commanders. By EZRA J. WARNER. Baton Rouge; Louisiana State University Press, 1959. xxvii, 419. $7.50.

Generals in Gray is the result of ten years research on the part of the author who saw the need for a comprehensive directory of the 425 general officers of the Confederacy. Included for each officer are dates of birth and death, military ranks, place of burial, and war time service, as well as the more obvious facts pertinent to individual careers.

Even more impressive is the inclusion of a picture of each officer with but one exception—J. B. Grayson of Kentucky. An introduction, notes, and a lengthy bibliography help to make this volume a most useful reference work.

There are eleven Marylanders listed who are relatively well-known to us: James J. Archer, Arnold Elzey (Jones), Bradley T. Johnson, Lewis H. Little, William W. Mackall, George H. Steuart, Allen Thomas, Lloyd Tilghman, Isaac R. Trimble, Charles S. Winder, and John Henry Winder. A twelfth, Robert Charles Tyler, who was killed in action in Georgia after Lee's surrender, was supposed to have been born and reared in Baltimore. Described by Mr. Gray as " the most enigmatic figure of the 425 generals of the Confederacy," Tyler has continued to elude the most untiring researchers including the late William N. Wilkins of Baltimore.

Other Confederate generals listed with close Maryland connections are Mansfield Lovell, born in the District of Columbia, Richard S. Ewell, born in Georgetown, D. C., States Rights Gist, a South Carolinian descended from the Gists of Maryland Revolutionary fame, and John Bankhead Magruder, a Regular Army officer who was among other things a pre-war member of the Maryland Club and married to a Baltimorean.

C. A. P. H.

Quakers and the Atlantic Culture. By FREDERICK B. TOLLES. New York: The Macmillan Company, 1960. xiii, 160. $3.95.

In recent years there have been several rather successful attempts to view the history of Quakerism in a new way. This book reveals still another fresh approach to Quaker history as the author pictures the place of the Society of Friends in seventeenth and eighteenth century colonial America. Instead of seeing Quaker history as though it were an isolated phenomenon, the author ties it into its environment.

While treating Quakers and politics, free enterprise, Puritan ethics, the arts and science, Professor Tolles brings out the continuous exchange of Quaker thought and practice both in England and America. He likewise sketches both the significant contributions of Quakerism to early life in America and the cultural impact of the surrounding world on the Society of Friends.

This work incorporates a number of articles published by the author over the past ten years; yet it hangs together very well and provides interesting reading. Upon finishing this book, the reviewer understood much better what is meant when Frederick Tolles is called one of the new and really creative Quaker historians.

KENNETH L. CARROLL

Southern Methodist University

Katy of Catoctin, or The Chain-Breakers: A National Romance. By GEORGE ALFRED TOWNSEND " GATH." New edition with an introduction by HAROLD R. MANAKEE. Cambridge, Maryland: Tidewater Publishers, 1959. 567. $5.00.

Ever since he stood by " the dead face of Abraham Lincoln," George Alfred Townsend had " the idea of writing a romance upon the conspiracy of Booth." The result was the publication of a Civil War classic which opens with John Brown's raid and ends with the trial of the Booth conspirators. Originally published in 1886, this volume has finally been reprinted to reintroduce " Gath " (Townsend's *nom de plume*) to a twentieth century Maryland which is almost totally unfamiliar with the man and his writings.

Lloyd Quantrill of Baltimore is the hero of *Katy of Catoctin.* Gath introduces him to his readers at the same time he introduces John Brown who was in Western Maryland plotting his Harper's Ferry raid. Katy Bosler is a member of a German Dunker family with whom Quantrill falls deeply in love. This romance, however, is only incidental to the story and is thrown in only to complete the local color with which Gath was so familiar. John Wilkes Booth also loved Katy and Gath weaves him in and out of the plot at will. Lloyd and Katy eventually overcome such obstacles as battles on Maryland soil, spies, Baltimore riots, abolitionists, and Dunker religious customs to become very happily married.

Tidewater Publishers are to be congratulated for making " Gath " once more available to Marylanders. Harold Manakee, the Maryland Historical Society's Assistant Director, has written an excellent introduction which places both the book and its author in their proper perspectives. He has also described Townsend's little known efforts to erect a monument to Civil War correspondents in what is now the Gathland State Park, in Crampton's Gap, between Middletown and Gapland, in Western Maryland. *Katy of Catoctin* has an interesting interpretation of Civil War events and revisionists will have to bear in mind that Townsend took a newspaperman's and a novelists' liberty in writing about history. It is a pleasure to welcome this classic by an outstanding Maryland author to the growing number of Civil War reprints.

FRANK F. WHITE, JR.

Maryland Hall of Records

An Errand of Mercy: The Evangelical United Front, 1790-1837. By CHARLES I. FOSTER. Chapel Hill: The University of North Carolina Press, 1960. xi, 320. $6.50.

This book presents the history of Evangelical Protestantism in Great Britain and the United States from its organized beginnings in 1790. In both countries this movement came into being as a conservative counter to growing radicalism, both foreign and native, following the American War for Independence and the Napoleonic Wars.

Evangelicalism is remembered for its revivalism, proselytism, and sentimentalism. It contained all three of these but possessed something more—so that it expressed its doctrines and work successfully through many different societies operating quite free of denomination control. The history of many such groups as the American Bible Society, the American Sunday School Union, and the American Tract Society shows the interlocking group co-operation existing between these groups. Only the strong sectarian forces at work in American Protestantism in the 1830's caused the collapse of the Evangelical "united front" in the United States in 1937. This book introduces the reader to Evangelical Protestantism and to the many movements through which it expressed itself.

KENNETH L. CARROLL

Southern Methodist University

Confederate Receipt Book: A Compilation of Over One Hundred Receipts, Adapted to the Times. Edited by E. MERTON COULTER. Athens, Ga.; University of Georgia Press, 1960. 38. $2.50.

This reprint of the only known published Confederate receipt book (Richmond, 1863) will be of interest not only to the legion of Civil War buffs, but also to the many students of an earlier America. The use of substitutes by the hard-pressed people of the South has been the subject of several articles and at least one full-length study in the past, but until the recent publication of this little volume, few of those interested have been able to sample for themselves the ersatz as compared with the real thing. Divided into five sections, Culinary, Beer and Vinegar, Soap and Candles, Remedies, and Miscellaneous Receipts, who knows but that someday Marylanders will have to turn to this compilation for help. If the supply of Chesapeake Bay oysters continues to decrease and if prohibition should ever return, the recipes for table beer would go well with that for artificial oysters: " Take young green corn, grate it in a dish, to one pint of this add one egg, well beaten, a small teacup of flour, two or three tablespoonfuls of butter, some salt and pepper, mix them all together. A tablespoonful of the batter will make the size of an oyster. Fry them light brown, and when done butter them. Cream if it can be procured is better."

C. A. P. H.

Early Maps of the Ohio Valley, By Lloyd Arnold Brown. Pittsburgh: University of Pittsburgh Press, 1959. xiv, 132. $12.

This book represents a selection of fifty four maps, plans, and views made both by Indians and Colonials between 1673 and 1783. The author had over five hundred possible maps from which to choose, practically all of which had been gathered originally by the late Howard N. Eavenson, a Pittsburgh industrialist, whose widow made the publication of this book possible. Many of these maps are in Maryland libraries. Some of these maps have been reproduced previously, so the author, a Marylander, admits that their publication adds nothing new to our information about the Ohio Valley. Nevertheless, the book does serve as a pictorial history of " La Belle Rivière."

The author admits that he had a problem in the selection of what maps to publish. How he came to do so makes a valuable introduction. In addition, says Brown, " maps made during the first two hundred years of America's history present a puzzle that is impossible to solve: the identification of early place names with modern equivalents." With this thought in mind, the book represents an important compilation since the Ohio Valley placed such a prominent role in the struggle for the control over the American continent during the colonial period of our history.

Upon reading this book, one comes to the conclusion that a similar study is needed for either the Chesapeake Bay, some of our rivers, or the State itself. It would serve as a supplement to Mathews' *Maps and Mapmakers of Maryland*, long out-of-print.

Frank F. White, Jr.

Maryland Hall of Records

Virginia Origins: A Lawyer's View. By WALTER H. BUCK. Baltimore, 1960. 26 p.

Mr. Buck, in discussing the opposing Cavalier-plebeian views of the origins of Virginians as propounded by several historians, finds that the early Virginians were " of good English stock, that they were not mere transplanted Englishmen, that they established their own way of life in Tidewater Virginia, that their manners were good for those days and that their sense of honor was high." (p. 16).

The Siege of St. Augustine in 1702. By CHARLES W. ARNADE. Gainesville; University of Florida Press, 1959. 67. $2.

In this study Dr. Arnade has made use of Spanish archival documents of the Stetson Collection, University of Florida, and certain of A. S. Salley's South Carolina records. Readers of this *Magazine* will be interested to note that the Stetson photostats were prepared by J. A. Robertson, formerly archivist of Maryland.

The author here has sensed the drama of Moore's attack on the embattled garrison at St. Augustine; and, moreover, has done research important to the present St. Augustine historical-restoration program. The larger aspects of the English-Spanish conflict, 1702-13, he might conceivably have made clearer.

VERNE E. CHATELAIN

University of Maryland

NOTES AND QUERIES

Indian Aid Society—The undersigned is seeking information concerning the Indian Aid Society of Baltimore which appears to have been active during the years 1875-1880. Any information concerning this organization will be appreciated.

Nelson Rightmyer
Historiographer, Diocese of Maryland
Glyndon, Md.

Francis Scott Key Commemorative Stamp—On September 14, 1960, the Post Office Department issued the Francis Scott Key commemorative stamp of the " American Credo " series at Baltimore, Maryland, with ceremonies climaxed at Fort McHenry National Shrine. Individuals desiring First Day cancellations of the 4-cent Key " Credo " stamps may send self-addressed envelopes together with remittance to cover the cost of stamps affixed, to the Postmaster, Baltimore 33, Maryland. Included with the ceremony at Fort McHenry and at the Baltimore Post Office will be a philatelic display at the Southern Hotel sponsored by the Associated Stamp Clubs of the Chesapeake Area in September, 1960, known as " Chesapex 60."

Readers of the magazine will be interested to know that Mr. Charles F. Stein's " A History of Calvert County " has been published. Although received too late for review in this issue of the magazine, there will be a future review. Inquiries may be addressed to Mr. Stein at 231 St. Paul Place, Baltimore 2.

Nathaniel Walker—Mr. Alfred Walker offers a $25.00 reward to the person furnishing him authentic proof of the parentage of Nathaniel Walker, who died in Frederick Co., Md., in 1766, naming wife Elizabeth and son Ranalder as his only heirs. He also wants Elizabeth's maiden name and other names of the children, if any. Nathaniel's parents are thought to have been Charles Walker, born 1698, and Mary Walker. Charles', who was born 1698, parents are thought to have been Charles Walker, born 1663, and died 1730, in Prince Georges Co. Address:

Alfred Walker,
4336 Venderbilt Road,
Birmingham 7, Ala.

CONTRIBUTORS

Rosamond Randall Beirne, with John H. Scarff, is the author of the important study of Maryland and Virginia architecture, *William Buckland, 1734-1774*. . . . She is Regent of the Mount Vernon Ladies Association of the Union and member of the Council of the Maryland Historical Society.

William F. O'Brien, S. J. is assistant professor of Political Science at Georgetown University. Author of many articles in scholarly journals on constitutional law, his book *Justice Reed and the First Amendment* (Washington, 1958), numbers among the important contributions to the study of this field.

Alexandra Lee Levin is a resident of Baltimore. She is the author of " Miss Knight Abroad " in *American Heritage,* April, 1960, and earned first prize in the Parker Genealogical Contest in 1958 for her " Beall Family of Maryland." She is currently studying the English women playwrights of the eighteenth century.

Rhoda M. Dorsey is assistant professor of History at Goucher College. She is a student of early American history and her present article grew out of her extensive work on the merchants of the Confederation Period.

MARYLAND
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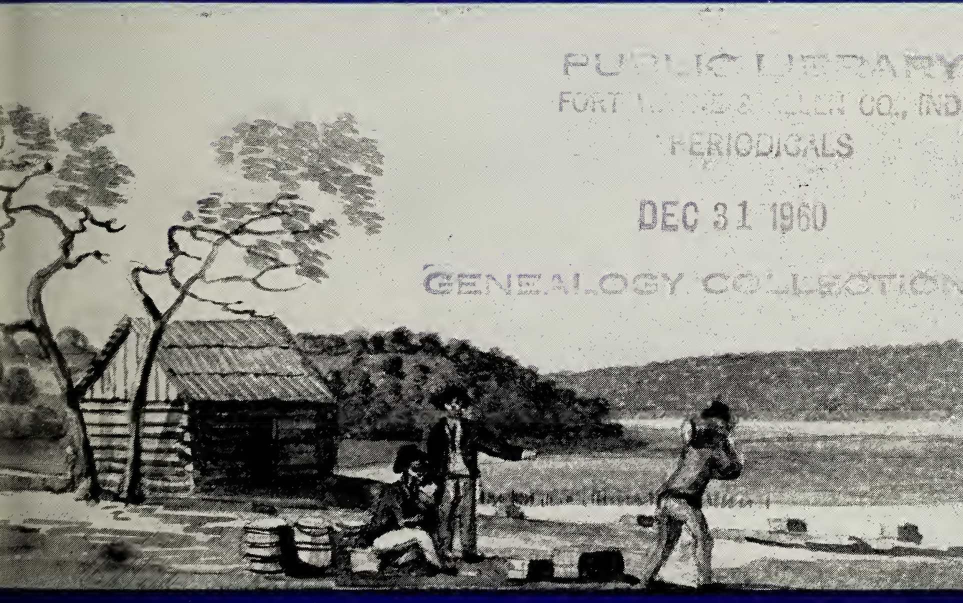

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The Landing at Frenchtown, Cecil County.
Watercolor by Benjamin Henry Latrobe, Aug. 1806.
(See Notes)

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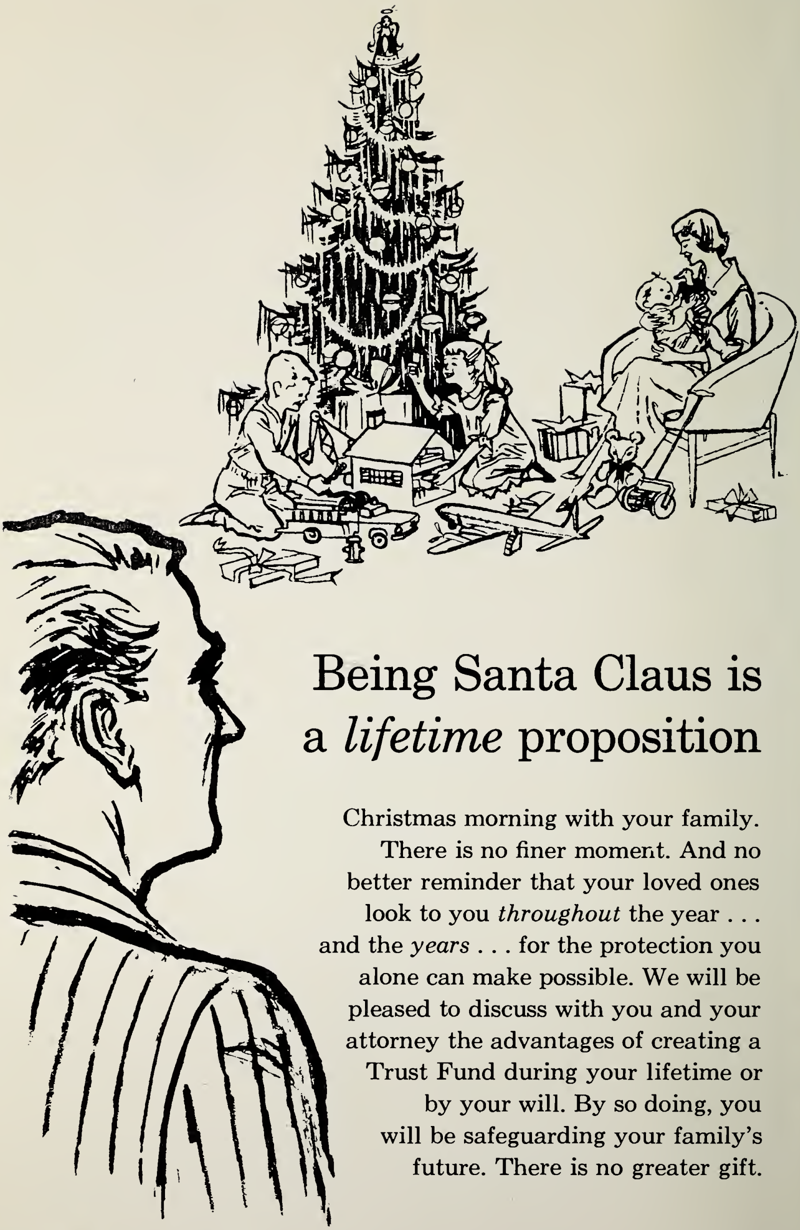

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Aguinaldo, the Philippine leader, was captured and took the oath of allegiance to the U. S.—*April 2.*

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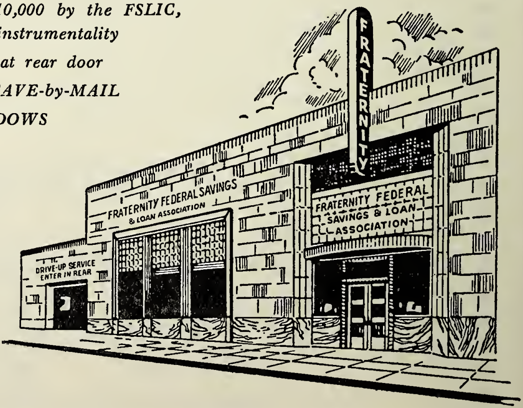
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His Lordship's Patronage. Offices of Profit in Colonial Maryland. By Donnell M. Owings. 1953. $6.00.

The Dulanys of Maryland, Biographical Study, Daniel Dulany, the Elder, and the Younger. By Aubrey C. Land. 1955. $6.00.

William Buckland, 1734-1774. Architect of Virginia and Maryland. By Rosamond Randall Beirne and John Henry Scarff, F.A.I.A. 1958. $7.50.

Indians of Early Maryland. By Harold R. Manakee. 1959. 48 pp. Cloth bound $1.80.

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MARYLAND HISTORICAL MAGAZINE

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GEORGE CALVERT: HIS YORKSHIRE BOYHOOD*

By JAMES W. FOSTER

"I LOVE Richmondshire with all my heart and it warms me when you talk of it, as cold a country as it is," wrote Sir George Calvert, Lord Baltimore, from London to a fellow Yorkshireman, Sir Thomas Wentworth.[1] Characteristic of the writer was this tribute to the land of his birth, a countryside of no small charm, abruptly steep in the west but for the most part gently rolling, watered by numerous streams and generally well cultivated. Among the many villages of stone and brick there is but one town. Richmond with its great ruined Norman castle upon the cliff beside the Swale River dominates most of the district. Dominant, too, has been the role of Richmond in the history and legendry of the North Riding.

* Copyright 1960, James W. Foster.

The individuals and institutions to whom the author is indebted are too numerous by far to mention in limited space. Full acknowledgment will be made to them in the final publication to which this paper is preliminary. It is a pleasant duty, however, to thank certain generous donors for grants without which a study of the life of Sir George Calvert could not have been undertaken, namely, the American

Westwardly rises the broken plateau of the Pennines, 2,000 to 2,500 feet high, cut along the eastern face by cascading streams, many of them cataracts which drop through wild, rocky glens to reach the open country below. These are the renowned Yorkshire dales. Emerging from one of these gorges, Swaledale, the River Swale after skirting Richmond's bluffs flows many miles in a twisting southeastward course through the central Yorkshire plain to join the Ure above the city of York. Thence their united waters run through the stone walled channel within the ancient city, ultimately entering the Ouse to reach the North Sea. In the great plain of the North Riding, gracious in summer sunshine, yet severe under fogs or storms from the not far distant sea, there stands beside the Swale some seven miles below Richmond a brick and stone mansion of Jacobean architecture called Kiplin Hall. Here once stood the house that in the late sixteenth and early seventeenth centuries was the home of Leonard Calvert, gentleman.

The Calverts had been known for generations in Yorkshire, and families of that name were established in each of the three ridings, though they may not all have descended from a single stock.[2] They were thought by some to have derived from the migration of Flemish weavers attracted to Yorkshire at an early period when the county had become famous for wool growing. In the parchment letters patent, issued in 1622 by Sir Richard St. George,

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Philosophical Society, Penrose Fund; Mr. Jacob France, a vice-president of the Maryland Historical Society; and the President, Senator George L. Radcliffe and the Council of the Society whose constant support has been invaluable. Acknowledgments of particular assistance in this chapter are made in the appropriate notes.

Much of my interest in this theme arose from finding the notes of the late Charles W. Bump, (1872-1908) a journalist and scholar of Baltimore who in 1901 made an extended investigation of Calvert sources in England. His death, before he could put his findings in narrative form, resulted in complete eclipse of his work. His extensive notes at the Maryland Historical Society have been of great value. Finally, I have been privileged to have the interest and counsel of Professor Wallace Notestein, emeritus professor of English history at Yale University, whose published writings and unrivalled knowledge of seventeenth century England are widely known—J. W. F.

[1] Letter of Sept. 12, 1630, Strafford Papers, 12, f. 136, Sheffield City Libraries, by the kind permission of Earl Fitzwilliam.

[2] Wills, Borthwick Institute of Historical Research, York, hereafter cited "Borthwick"; also *Yorkshire Archaeological Society, Record Series*, IV (1888), XIV (1893), XIX (1895), XXII (1897), XXIV (1898), XXVI (1899); *North Riding Record Society, Quarter Sessions, Records* I, II, (1884); *Yorkshire Parish Register Society, Publications*, XLII, XLIII (1911-1912). See also Administrations in Appendixes of each volume. Other series consulted are *Surtees Society, Publications*, vols. XXVI, CII, CX; *Thoresby Society, Publications*, vol. XIX.

Norroy King of Arms, confirming to Sir George Calvert the gold and black Calvert device which today appears in the seal and flag of Maryland, it is recited that Richard Verstegan, an antiquary of Antwerp, had sent evidence that Sir George was descended from the noble and ancient family of Calverts of Flanders " where they have lived long in great honor." [3] Admitting that research standards were less exacting then than now, and even that the Norroy King of Arms may have put his best foot forward to please a courtier high in royal favor, one cannot dismiss a claim accepted by Calvert and undoubtedly by his contemporaries. The case may be rested by saying that the Calverts of Kiplin believed themselves of Flemish extraction.[4]

If we may trust the evidence of wills and inventories, the many Calverts of Yorkshire in the sixteenth century were tenant farmers, husbandmen, in some instances yeomen of standing, and as in the case of Leonard of Kiplin, gentlemen, when that term signified superior social position. Though most of them bequeathed farm animals, feather beds, and small sums of money to their loved one, it is interesting to see provision sometimes made for the education of a younger son.[5]

The Calvert name is associated with Kiplin as early as 1570 when " Jenkyn alias John Calvert de Kypling " was involved in a legal proceeding, the full record of which is now lost.[6] He was possibly a near relative of John Calvert of Oulcotes, Parish of Arncliffe, some 25 miles to the west, who died in 1565 naming a Leonard Calvert as one of the supervisors of his will.[7] John of Oulcotes had a son Christopher, a name, as we shall see, borne by another son of Leonard Calvert of Kiplin. Oulcotes, atop the Pennine Ridge and beyond the border of the North Riding, in the West Riding, was the place of residence of many Calverts. We may surmise that it was from thence the Kiplin branch derived.

[3] Confirmation of arms to Sir George Calvert, Dec. 3, 1622. Calvert Paper No. 31½, Maryland Historical Society.

[4] Modern scholars, however, contend that the origin of the name is *calfherd*, descriptive of the occupation in mediaeval times of certain farm retainers. This may well be so; or it may apply to some of the Calverts and not to all. P. H. Reaney, *A Dictionary of British Surnames* (London, 1958); correspondence with Dr. A. R. Wagner, Richmond Herald, 1960, at Maryland Historical Society. Dr. Wagner prefers the calfherd theory.

[5] Wills and Administrations, as in note 2.

[6] Temple Newsam Coll., 1570, OR 176W, Central Library, Leeds. John Calvert is again mentioned in a legal action, Temple Newsam, 1570, TRaW.

[7] Wills, Vol. 17, f. 434, Borthwick. *Yorkshire Arch. Soc., Rec. Ser.*, XIV, 28.

George Calvert, the future Lord Baltimore, was born about 1580 at Kiplin where his father Leonard, son of John, was a tenant of Philip Lord Wharton.[8] Leonard was a man of standing, in 1602 treasurer of the Lame Soldiers' Fund, Richmondshire Division of the North Riding.[9]

George's mother has been said by some to have been *Alice* (or *Alicia*) Crosland and by others, *Grace* Crosland. After considering the very limited evidence, the writer believes that she was Alice, daughter of John Crosland of Crosland near Almondbury in the West Riding.[10] Her family's arms were quartered with Calvert arms by the second Lord Baltimore, indicating that she was an heiress in her own right, having no brothers.[11] Nothing more is known of her or her family. Presumably she died in early life, and her husband Leonard married a second time. This belief is supported by the record of the Yorkshire High Commission showing that Leonard Calvert and wife *Grace* in 1592 were summoned by the Commission to answer charges of religious nonconformity.[12]

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[8] Roger Dodsworth, "Yorkshire Church Notes," *Yorkshire Arch Soc., Rec. Ser.*, XXXIV (1904), 234. Note dated 1622.

[9] North Riding Record Office, Northallerton, Yorks., Quarter Sessions, Lame Soldiers Book, 34v-35. For this I am indebted to Mr. C. K. Croft Andrews, County Archivist, Northallerton. Also in *North Riding Record Society*, II, 278, 282. The present owner of Kiplin, Miss Bridget Talbot, has deposited the estate papers at the North Riding Record Office. They yield little pertinent information about the family at this period.

[10] This view is supported by the antiquary B. L. Hearne, who at Oxford was an intimate friend of Benedict Leonard Calvert, F. R. S., son of the third Lord Baltimore. Calvert's record, endorsed by Hearne, "This pedigree was drawn up and written (with his own hand) by the Honble Benedict Leonard Calvert, Esq. who gave it me on Mond. Sept. 1, 1718," begins with the union of Leonard Calvert with "Alicia daughter & Heiress of John Crosland of Crosland." Hearne in his diary further elaborated in chart form the Calvert pedigree, ornamented with the arms of the family through five generations, where he repeats the Leonard-Alicia marriage, but omits the name of her father. Both records, in the Bodleian Library, Oxford, (Rawlinson 67, f. 12, and 82, f. 129) were later utilized by William Paver whose beautiful charts (in the British Museum, Additional MS 29, f. 647, 7,84 and 128v) under "Calvert" and "Crosland" straddle the problem by giving the name of Alice in the former and Grace in the latter. On the other hand, the so-called Visitation of 1612 by Sir Richard St. George (printed in Sir William Glover, *Visitation of Yorkshire . . . 1584-1585*, edited by Joseph Foster, London, 1875) shows Grace Crosland the wife of Leonard (p. 509). Yet at p. 500, *sub* "Calvert of Danby Wiske," Foster has included the Leonard-Alice union. I am informed by Dr. Wagner that this version comes from Harleian MS 1487, British Museum, and is not the work of a qualified genealogist. It was not taken from a Visitation. Thomas à Wood, *Athenae Oxonienses,* (London, 1721), probably depending on Hearne, calls the mother Alice. Sir William Dugdale's official *Visitation of Yorkshire, 1655, with Additions,* edited by J. W. Clay, (Exeter, 1899), I, 181-182, makes Grace the wife of Leonard Calvert, without referring to offspring. See also *The Genealogist*, n. s., XII, 200. That Alice and Grace were cousins in a near degree seems entirely probable.

[11] The earliest use of the combined Calvert-Crosland arms occurs, so far as the writer knows, on the coat decorating the map in *A Relation of Maryland*, a promotion tract published in 1635 by Cecil, second Lord Baltimore. A commentary on the Alice or Grace confusion by the late Francis B. Culver appeared in the *Maryland Historical Magazine*, XXIX (1934), 330-331. He pointed out that

Of Grace Crosland, daughter of Thomas, of Crosland Hill near Almondbury, something more is to be found. Since her baptism appears in the register of the established church at Almondbury on February 8, 1573, presumably at a tender age, she could not have been a mother in 1580. She is mentioned in the will of her father, a yeoman, who died in 1587.[13] Like the Yorkshire Calverts, however, the Croslands were numerous and their family relationships defy understanding. The name is legion today in the same area, and Crosland place-names abound—Crosland Hall, Crosland Hill, Crosland Edge, and so on—while in the churchyard of Huddersfield, the nearby metropolis, we find rank on rank of tombs of departed Croslands. Consequently search for more light on Alice and Grace and their relation to each other has to be abandoned, complicated as it is by the lack of reliable birth, death and marriage records of Roman Catholics, as many if not all of the Calverts and Croslands were. Anglican clerks and vicars often failed to make entries and confused the Christian names of their parishioners. Spelling of names was largely phonetic. The churches at Danby Wiske and at Bolton-on-Swale, both but a few miles from Kiplin, have no records prior to 1600. If they were made, they have been lost. Catholics were married privately and had their young baptized surreptitiously by priests who travelled by night and hid by day, usually avoiding or neglecting any formal record.

The Yorkshire High Commission summons of October, 1592, to Leonard and Grace Calvert was by no means the first effort to compel their compliance in worship, nor was it to be the last. Frequently in the years 1580 to 1594 this couple was pressed to conform to Anglican practice. Leonard in 1580 submitted a certificate that he had conformed—whether by church attendance or taking communion does not appear—and two years later gave

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Grace Crosland had brothers who continued the line of her family; she was not an heiress and therefore could not transmit the arms to her descendants. It is safe to conclude that Cecil, second baron, a grandson, would not have used the Crosland device without justification.

[12] Yorkshire High Commission Act Book 3 (1591-1595), f. 83, Borthwick.

[13] Wills, vol. 23, f. 623, Borthwick; Dugdale's *Visitation of Yorkshire*, I, 181-182. A search of the register of All Saints Church, Almondbury, disclosed the baptismal entry of Grace Crosland. That of Alice was not found.

bond that he and his wife (whose name was not stated) would communicate within a given time. When proof that they had done so was not forthcoming, he was forced to give a new bond for compliance with this order. Again he failed to obey and attachment of his person was ordered by the Commission. Here the records are silent. Whether he was actually imprisoned or obtained release by paying a fine is not known. The next entry relating to him is dated October 9, 1592, and may be abstracted as follows: Leonard Calvert of Kipling, gentleman, and Grace his wife, before the High Commission. Leonard took bond that he would have no Catholic servants or Catholic teacher for his children, and would buy within a month a Book of Common Prayer, a Bible in English and a catechism, all to lie open in his house " for everyone to read." All " Popish books or other trumpery or relics of Popery " were to be dispensed with. His children were to be put to school in York and not to leave without license from the Archbishop of York.[14]

Two of these children—probably the only offspring at this time—were George and Christopher, named later in another order by the same authority. The boys, doubtless full brothers about 12 and 10 years old, respectively, are now to " learn with Mr. Fowberry at Bilton " and to appear once every quarter before the commissioners to see " how they perfect in learning."

When Mr. Fowberry soon after removed to Hull, one Robert Calvert, cleric, *i. e.* minister of the establishment, of Durham, went bond in the amount of £100 that George and Christopher would study either with himself or with Nicholas Anderson at Linton. Though a small degree of choice was given, the picture of oppression is clear.[15]

Since the Pilgrimage of Grace in 1536, when the Roman Catholic sentiment in Yorkshire disclosed itself in an uprising of frightening proportions and was brutally dealt with by Henry

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[14] Abstract of this and other entries supplied by the Rev. Hugh Aveling, O. S. B., to whom the author is greatly indebted. Father Aveling's contributions are vital to our understanding of the family's situation at this period. The full record from the High Commission Act Books, as supplied by Father Aveling, is given in the Supplement to this article.

[15] High Com. A. B. 3, f. 112v, Borthwick, April 24, 1593. A description of grammar schools about this time, with their emphasis on the Latin classics, the use of spoken Latin in class, and the Romanized outlook on the world so acquired, is to be found in chapter 11 of Wallace Notestein, *The English People on the Eve of Colonization* (New York, 1954).

VIII and his military leaders, the county had been rent by religious quarrels. Many prominent families, including peers of the realm, had sought to avoid the fines and disabilities imposed upon them as Catholics. Sometimes the authorities winked at nonconformity till a lay or clerical busybody turned informer against laggards and brought harsh retribution. Sometimes relatives or friends in high places interposed and enabled the nonconformist, or even the hard-pressed recusant, to escape punishment. Such instances were not rare. Often they reflect the unwillingness of Queen Elizabeth or of local officers to impose fines or worse upon the people, for under constant pressure from officials of church and state the masses turned more and more toward the state religion. Time, it was hoped, might work further improvement. Prominent at court were many Catholic lords who gave merest lip service and often not even that, to the Anglican hierarchy.

The device of taking children from Catholic homes and placing them under the tutelage of Protestants was a new one.[16] That it was not always successful is shown by the fact that the next year the Commission found Nicholas Anderson, one of their chosen tutors, guilty by his own confession of using the " Popish primer." He was required to leave Linton and take up instruction elsewhere.[17]

Nor were this snatching away of his children and being compelled to purchase and display Protestant books the only interferences visited upon Leonard Calvert. In December, 1592, he was obliged to certify to the Commission that he had communicated at the established church and in the following spring pressures mounted to force his wife to do the same. If she should not comply, she was to be the prisoner of one of the Commission's agents, that is, to be removed to his house and remain there. Next day, however, one Milo Pickering went her bond in the sum of £20 that she would conform no later than Monday after Trinity Sunday. But on June 11 she was still a hold-out and Pickering's bond was renewed in her presence with the proviso that she communicate no later than Michaelmas following (September 29). The last we hear is that her case was called in October, but neither punishment nor acquittal is recorded.[18]

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[16] Conyers Read, *Lord Burleigh and Queen Elizabeth* (New York, 1960), p. 237, 247, 421, 489-490.

[17] High Com. A. B. 3, f. 126v, Borthwick, Sept. 13, 1593.

[18] *Ibid.*, f. 113v and 129v. Father Aveling remarks that "The gap in Calvert

What must have been the atmosphere of the Calvert home during these years? What must have been the effect of persecution upon the boys? Conditions such as these undoubtedly bred tensions and hatreds that could never be erased, prejudices and attitudes that would long survive. To be uprooted from their home against their parents' will and put to school in strange towns 20 miles away may well have brought resentment against authority even from carefree youths. No doubt they forgot themselves in sports, in the few primitive playthings that their age boasted, in hunting game, fishing in the many streams and rambling over the countryside. They must have found their greatest pleasure in riding horseback and tilting in make-believe jousts. For George the evidence of his later years suggests that he was a good student with a definite bent toward learning, that he was level-headed, cautious, and above all, warmhearted and loyal.

The most memorable event in young George's childhood was, of course, the destruction of the Spanish Armada. Then 8 years of age, the boy must have heard of the preparations, long under way, to fend off the enemy. When at last beacon fires throughout England gave the alarm, and suspense lay heavy in every mind, great must have been the relief as word of the destruction wrought by Drake and the providential scattering of the mighty Armada spread through the countryside. Since Kiplin lies but 30 miles southeast of the seacoast at Middlesbrough, there may well have been tales of wreckage that went from mouth to mouth through all the country.[19]

Of Kiplin mansion or hall of this early period no picture or description remains. It may have been of the mediaeval fortified type, possibly small, certainly ill-lighted and probably unpretentious. A more modern house, commodious, convenient and handsome, Sir George in 1622 undertook to build for the enjoyment of himself and his family when he should retire from court

prosecutions 1583-1592 coincides fairly well with a slackening of persecution. The 1592-1593 strong persecution was part of a very severe governmental drive. The abrupt cessation of entries in 1593 is odd, since the drive went on for several more years."

A list of Yorkshire recusants made in 1595, among the Cecil MSS, at Hatfield House, contains no Calverts (Letter of Father Aveling, dated November 1, 1960.)

[19] The British evacuation of Dunkirk in 1940 was to bring another climactic event to the Yorkshire coast when small boats brought evacués into the ports. Men were given emergency shelter and treatment at Kiplin and elsewhere till they could be sent to army hospitals.

and statecraft, a hope that was dashed first by the death of his wife and then by his ardor for colonizing in America. Remote even today, Kiplin stands 220 miles from London and 30 miles from York. Its occupants in the seventeenth century were not acquainted with affairs in London, the court intrigues, the gossip, the newsmongers, the customs and fashions of the day. Letters by mounted couriers took several days each way. Certain of the Yorkshire leaders, both political and social, were frequent visitors to the capital and some of them maintained residences there, but the tone of the county was set rather by the substantial gentry, the holders of office—members of the Council of the North and those of Parliament—such noblemen as merited respect, and the higher clergy—the bishops and deans. The gentry were numerous, forming the backbone of county society. There is reason to believe that the Calverts of Kiplin were of moderate circumstances. We know that means were found to send George to Oxford University and on finishing his studies he seems to have made a prolonged tour of the Continent.

Grace, the wife of Leonard Calvert, appears briefly once more. She declined to be a communicant at Easter, 1604, and was fined.[20] The inference is that she had conformed to the extent of attending church but would rather pay a fine than accept the Anglican communion. It was presumably she who was mentioned as the wife of Leonard in the will of his nephew, Ralph Ewens, clerk of the House of Commons, when he died in 1611.[21] George's brother Christopher also fails to emerge from the shadows.

If the religious atmosphere of Leonard Calvert's home was ambiguous, it could scarcely be thought unusual for the time. Though no wind of Puritanism blew through it, as happened with many families of England, the struggle between Rome and Canterbury allowed ample room for quarrels. Leonard had been named treasurer of the Lame Soldiers Fund, as we have seen. The election for a term of one year was made by the justices of the shire at the quarter sessions in Richmond on July 12, 1602. This fund for the relief of needy soldiers and mariners was raised by the churchwardens and turned over to the high constables. They in turn handed it over to the Treasurer who disbursed it. At the end of his term of office Leonard accounted to the justices for £24.18.10 that had passed through his hands, and was discharged from further duty. Evidently he enjoyed the confidence of the authorities both civil and religious. He must not only have conformed but have shown staunch allegiance to the established church. His appointment was recognition of his regularity in worship as well as of his personal integrity. Yet, as we have also seen, his wife a year or so later was to be fined for non-communicating.

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[20] Edward Peacock, *List of Roman Catholics in the County of York in 1604* (London, 1872), p. 69.

[21] Will in Somerset House, Prerogative Court, Canterbury, Wood 74. John More's comment on this will, Historical Manuscripts Commission, *Report on the Manuscripts of the Marquess of Downshire*, III (1938), 139. The names and relationships of Ewens' Calvert and other kin set forth in his will have made possible considerable additions to the Calvert pedigree. The will has been given in full in the book, *Descendants of Virginia Calverts,* by the late Ella F. O'Gorman (privately printed, 1947), p. 2-4. The printed version has been verified by the present writer.

The cessation of persecution in 1593 together with the appointment to office in 1602 seem to prove that Leonard abandoned Catholicism, in spite of his wife's strong attachment to the old faith. Perhaps in these two events there is an explanation of his son George's conformity in religion throughout his early life and his official career at court.

The Kiplin (or Kipling) estate had belonged to the dissolved Abbey of St. Agatha, a monastic foundation of the twelfth century near Richmond. After the Abbey's suppression by Henry VIII, its lands passed by royal grants into various hands. In 1557 Kiplin was given by Philip and Mary to Henry Lord Scrope, who in turn sold it to Philip Lord Wharton.[22] Kiplin apparently was never owned by Leonard Calvert, for we find in December, 1619, a license issued by James I permitting Philip Lord Wharton and his son Sir Thomas to sell the estate to George Calvert, secretary of state and " faithful counselor." The transaction was completed the following year.[23] This purchase included not only the " mansion house," water mill, a village of 8 houses, a chapel and chapel ground, but also a tract of land in Moulton, about six miles from Kiplin. These, however, were not George Calvert's first acquisitions in Richmondshire. In 1616 he had bought the Manor of Danby Wiske, five miles eastward, in association with his brother-in-law George Mynne and his secretary and future son-in-law William Peaseley.[24] His interest in his native soil, sentimental as we have seen, was based also on a considerable financial commitment.

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[22] *Victoria History of the Counties of England, Yorkshire North Riding,* I (1914), 307.

[23] *Ibid.*

The circle of the Calverts at Kiplin included a few relatives who appear in historical records and throw further sidelights on their associations. Noteworthy among them is Ralph Ewens, already mentioned, a member of Gray's Inn, who died, childless, in 1611. Ewens in 1603 had been appointed auditor of the Queen's properties by Sir Robert Cecil, Lord Treasurer. He married the widow of a rich goldsmith and in his will left remembrances to a long list of relatives including his uncle, Leonard Calvert and his wife, unnamed; his grandmother, " Mistress Margerie Calvert," his uncle and aunt Branthwaite, and his cousins George, Christopher and Samuel Calvert. To George he left 40 shillings for a memorial ring, and the execution of certain provisions. We gather that Ewens' old home was in South Cowton, Yorkshire, but four miles from Kiplin.[25]

Another family closely allied with the Calverts were the Smithsons. George Calvert's sister Dorothy married Christopher Smithson of Moulton, North Riding. Grace, a daughter of this union, married into the Conyers family, while a younger member married a Fairfax, one of the most influential families in Yorkshire. Sons of Christopher and Dorothy Smithson were named Leonard, Calvert and George. Later a member of this family was to have many financial dealings with successive Lords Baltimore.[26]

Though these glimpses of the Calvert environment yield us small satisfaction, they are precious rays of light in the gloom of sixteenth century family and social history. The great families had their castles or manor houses, their muniments, their stores of documents, letters and even diaries; their imposing portraits, and full-length effigies upon their marble tombs. Their history is documented at a thousand points. The rank and file of gentle folk, lacking great lands and royal, political or ecclesiastical preferment, left in their scanty annals little besides honorable names and inheritance to their descendants.

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[24] Calvert Papers 25, 28, Md. Hist. Soc.: *Yorkshire Fines for the Stuart Period*, II (*Yorkshire Arch. Soc., Rec. Ser.* LVIII) (1917), 62; *Victoria History*, Yorkshire, North Riding, I, 172.

[25] *Calendar of State Papers, Domestic, James I, 1603-1610*, p. 34. Ewens' marriage, J. L. Chester, . . . *Marriage Licenses Issued by the Bishop of London, 1520 to 1610*, I, (*Harleian Society Publications*, XXV) (1887).

[26] Dugdale, *op. cit.*, III, 492-493; James Raine, " A Notice of Henry Jenkins," *Yorkshire Archaeological and Topographical Journal*, I (1870) 129-131.

When, however, a member of such a family has emerged into the glare of London and the life of the court, especially when he has attained high office and played a part on a wider stage, his footprints are readily traced. As young George Calvert enters his teens his record grows clearer and soon can be followed year by year. The present account broadens the history already known by showing the devout Catholic atmosphere of his home and the uncompromising experiences he met with in the name of religion. Perhaps it is not too much to wonder if the harsh events of his boyhood gave spur to this youth's will and helped to develop in him the character and energy to advance himself.

SUPPLEMENT

The orders of the Yorkshire High Commission relating to Leonard Calvert and his family, as abstracted by Father Aveling from the Act Books, are as follows:

1580

Aug. 11—Leonard Calverde de Kyplinge, gent, his wife and whole family, put on bond to conform himself in religion. Book 17, 1580-1585, f. 18.

Oct. 3—Leonard Calverd of Kypling, gent. Thomas Todd brought certificate that Calvert had conformed. Dismissed this time but to be called again. *Ibid.*, f. 39 v.

1581

Jan. 16—Leonard Calverd de Kypling, gent, due to certify reception of Communion today. Non comparuit nec certificavit [He did not appear nor did he certify]. *Ibid.*, f. 71.

1583

July 19—Leonard Calvert de Kipling, armiger, put on bond for the conformity of himself, wife and family on Aug. 11, 1580. He had once certified their going to church by his man, who was told a further certificate was wanted after Christmas, but none was sent in. Calvert appeared in court and was enjoined to certify on the Monday after Michaelmas [Sept. 29] that he, his wife and family had communicated. *Ibid.,* f. 214.

Oct. 1—Leonard Calvert of Kipling, gent. No appearance. His attachment ordered. *Ibid.*, f. 228 v.

1592

Oct. 9—Leonard Calvert de Kipling, gent, and Grace his wife. He came and took bond that he, his wife and family would conform to the established religion. The bond forbids him to have Catholic servants or schoolmaster in his house. He is to buy inside a month a Book of Common Prayer, a Bible in English, Mr. Nowell's Catechism in English and one other book, as Calvin's Institution, Dr. Bilson's book, the Ursinus Catechism, or Dr. Reynolds' Conference with Hart, to lie open in his home for everyone to read, and to provide for his children Nowell's Catechism in Latin or Greek, as their schoolmaster shall appoint. He is to have hereafter no popish books or other trumpery or reliques of popery, and his children will be kept at school at York and not leave there without licence from the Archbishop of York. Book 3, 1591-1595, f. 83.

Oct. 23—Leonard Calvert, gent, bonded in £100 that George Calvert and Christopher Calvert, his sons, shall hereafter learn with Mr. Fowberry now schoolmaster at Bilton and shall not depart from him without licence. If required, he is to bring them in to the Commissioners once a quarter to see how they perfect in learning. *Ibid.*, f. 84.

Dec. 4—Certificate that Leonard Calvert of Kipling, gent, had communicated was sent by Ralph Swadale; it was accepted after Swadale had sworn to its truth.

1593

April 23—Grace, wife of Leonard Calvert de Kipling, gent, ordered to appear in court today unless she sends a certificate that she has communicated. She appeared in court but had not received communion and refused to do so. She was committed prisoner to custody of the Pursuivant Southwood unless [she agreed]. *Ibid.*, f. 110 v.

April 24—Milo Pickering of Helaugh, yeoman, took bond in £20 that Grace Calvert, wife of Leonard, gent, now released from Thomas Southwood's custody, would go to receive communion before Monday after Trinity Sunday, and would certify to that effect or else appear in court. *Ibid.*, f. 112 v.

May 13—Robert Calvert de Durham, cleric, appeared and took bond that Christopher and George Calvert, sons of Leonard, gent, (late scholars to one Mr Fobrey, scolemaister late at Bilton and now going to Hull to teach school there) should hereafter learn with the same Robert Calvert, clerk, or Nicholas Anderson, scholemaister of Robert Kay's house, gent, and not depart from there without licence of the Commissioners. *Ibid.*

June 11—Grace, wife of Leonard Calvert de Kipling, appeared and Milo Pickering took bond in £20 for her to appear Monday after Michaelmas unless she sends a certificate of her communion. *Ibid.*, 113 v.

Sept. 13—Nicholas Anderson, ludimagister [schoolmaster] at Linton was inhibited not to teach any further in the house of Robert Kay of Linton in regard that having taught the popish primer heretofore to his scholars, and being convicted thereof by his own confession and having made promise upon licence granted him again to teach, to make amends for his former evil behaviour, he yet notwithstanding his allowance to teach in the said Kay's house, hath never taught his scholars the catechism nor any principles of religion now established. He might teach in the house of Mr. Snawsdell of Bilton, gent, if Snawsdell likes. *Ibid.*, f. 126 v.

Oct. 9—Grace wife of Leonard Calvert of Kipling. Quo die [*sic*—no further record]. *Ibid.*, f. 129 v.

CONSTITUTIONAL REFORM AND ELECTION STATISTICS IN MARYLAND,

1790 – 1812

By J. R. Pole

IN the post-revolutionary history of the constitutions of the Atlantic states there is much that is dramatic, bitter and even violent; but there is no transformation more abrupt and, on the face of it, implausible, than that of Maryland. A man who had been born in 1776, cradled in whiggish orthodoxy, would have come of age in the year when his state extended the suffrage franchise to all adult white males without even the requirement of a tax payment, and would have been able to bring up his children in a society which had little to distinguish it from political democracy. The constitution itself was subject to amendment by the representatives of the people; the forces, however, which acted so potently on the constitution were not purely internal. One of these was the rise of Baltimore, in part a product of developments in international trade; the other was the organisation of national political parties, to which Maryland duly contributed, but by whose consequences she was in turn deeply influenced.

In the light of later developments, the whig concepts which guided the thinking of the early state constitution-makers came to look forbiddingly conservative,[1] and in Maryland more so than in most other states. Conservative, in an important sense, they certainly were: they represented, when translated into political institutions, an attempt to build for the future in the form of a prevalent political theory and an equivalent social structure. The general design was that of a political pyramid, comprising a broad base of participation in elections by the common people, and a progressively narrower degree of participation for the ascending scales of elective office. In Maryland, as in most states, the successive levels were marked out by graduated qualifications of property.[2] Under this system, the small group of influential families who had dominated the affairs of the province were able to maintain their grip in the newly-created state.[3]

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[1] See, for example, Allan Nevins, *The American States during and after the Revolution* (New York, 1924), p. 157.

Even under the proprietory government, whose electoral laws required the ownership of either a fifty-acre freehold or forty pounds personal estate in sterling,[4] there are occasional evidences of participation in elections by a high proportion of the population of free adult males.[5] But the Revolution brought one constitutional reform which, though not startling in form, was to be of irreversible long-term significance. This was the reduction of the personal property qualification for the franchise from forty pounds in sterling (which, of course, was a very hard currency in the late colonial period) to thirty pounds in current money—that is, whatever money was valid under state law; so that the depreciation of wartime currencies must certainly have had the practical effect of extending the suffrage.

A practical extension taking place unintentionally under the aegis of the election law is not the same thing as an extension carried through by legislative intent. There are two sets of evidence on which to base conclusions about the actual state of the suffrage between the making of the constitution of 1776 and its amendment in 1801-02; these are, first the records of disputed elections,[6] and secondly the county-by-county statistics which are now available in serial form from 1790 to 1812.[7] The first question to ask is whether the disappearance of the wartime paper currencies really did have the effect of re-introducing a class of disfranchised Maryland citizens. The fairly frequent practice of challenging election returns by alleging that the result had been won with the aid of unqualified voters makes it clear that such a class had not disappeared in the theory of politics, however elusive it might have been in fact. A disappointed candidate would often throw in this accusation though he may not have expected it to do him much good. What is important, however, is that so long as the challenges were even part of the give and take of hard-fought elections, there must always have been a class for whom the exercise of the suffrage was a matter more of chance than of right. It would be a great mistake to suppose that a high level of suffrage participation under conditions of uncertain legality can be regarded as a satisfactory state of affairs by those who want the franchise as a matter of right. Both Federalists and Republicans, when they began to take organised shape, saw that political capital might be made of the demand, but though the Federalists hesitated, neither did the Republicans at first grasp the opportunity with the quickness or enthusiasm that their advertised principles might have led their admirers to expect.

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[2] The qualifications were as follow:

For the suffrage franchise: ownership of a fifty-acre freehold *or* of personal estate worth thirty pounds in current money.

For membership of the House of Delegates: one year's residence in the county for which the candidate was elected, and the ownership of property worth £500 (real or personal) current money, within the state.

For membership of the Senate: three year's residence, and £1,000 real and personal property, current money.

For Governor: 25 years of age; 5 years residence in the State; £5,000 (current) property in the State, of which £1,000 at least to be in freehold land.

For membership of the Council: over 25 years; 3 year's residence in state; £1,000 (current) freehold in the state.

To be elected sheriff: 21 years; £1,000 (current) real or personal in the state. The Senate was elected by a college of electors, themselves brought into being by county elections every five years, each county choosing two members. The Senate itself filled vacancies by co-option. Current money might be any form of legal tender; no fewer than three types of money other than sterling were " current " in the state before the end of the Revolutionary war: the " Continental state money " and the " black money " both of 1780, and the " red money " of 1781; in addition there were the Continental dollars and the various notes of other states. See Philip A. Crowl, *Maryland during and after the Revolution* (Baltimore 1943) pp., 86-87. F. N. Thorpe, *Federal and State Constitutions, etc.* (7 vols., Washington, 1909), III, 1691-1701.

[3] See, in general, Charles A. Barker, *The Background of the Revolution in Maryland* (New Haven, 1940). Crowl, *Maryland during and after the Revolution*, espec. pp. 96-97.

[4] Barker, *op. cit.,* p. 171.

[5] *Ibid.,* pp. 171-177.

Long before the advent of political parties, however, the course of Maryland politics had begun to reflect the influences of the overwhelming economic and demographic fact in the state—the growth of Baltimore. No other state was so dominated by the growth of a single town. The population of Baltimore was given as 13,503 in 1790; in 1810, as 46,555; an increase of 244 per cent which should be seen in contrast with a general increase of only 11.4 per cent in the population of the state.[8] By 1798 Baltimore was the nation's third commercial city.[9] The population statistics tell the story not only of Baltimore's rise but of the depopulation or at best, stagnation of many of the southern and East Shore counties. Annapolis, remaining the capital, was reduced to a shadow of its former substance.

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[6] Preserved in the Executive Papers, Hall of Records, Annapolis. Evidence from these was published in J. R. Pole, " Suffrage and Representation in Maryland from 1776 to 1810: A Statistical Note and some Reflections," *Journal of Southern History* XXIV (May, 1958) no. 2, 218-223.

[7] *Infra.*

[8] *Census of the United States*, 1850 (Washington, 1853) p. 222. And 1790 (Phila. 1791) p. 47.

Demands for electoral reform in Maryland did not spring in the first place from the issues of party politics. As early as 1791, the House of Delegates passed a bill to abolish all property qualifications for elective office; the bill failed of confirmation in the succeeding session, as required to become a constitutional amendment, but it may be doubted whether the effective leadership in the House would have passed it if they had thought it might lead to a weakening of their position.[10] The constitution provided for voting in the county court of each county, a requirement which caused hardship to those who lived in the remoter villages, especially in the larger, western counties. After some years of dispute, an amendment by which counties were divided into voting districts was passed, in 1800, to remedy this grievance. The measure brought a controversy between the town of Frederick and the country districts but did not follow clear-cut party lines although republican principles were stoutly affirmed on both sides. Attempts to suppress cheating and bribery at elections seem to have had little effect.[11]

It was natural that demands for an extension of the suffrage should be made under the existing conditions; and it is also clear that, as the Federalists and Republicans developed beyond the stage of being mere unorganised affinities, into organised and disciplined parties, the Republicans established for themselves a practical connection with the more democratic-looking causes. It may seem uncharitable to suggest that the practical connection preceded that of principle; but the fact is that the issue, when first presented, found the Republicans sharply divided. In 1797 Federalist leaders demonstrated some political acumen by bringing forward the first bill for abolition of all property qualifications for the suffrage, a bill which passed a Federalist House of Delegates to be rejected by a Federalist Senate. A leading part in the opposition was taken by Joseph H. Nicholson, a Republican, whose political standing was so little impaired by this policy that he later became a congressman in his party's interest.[12]

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[9] Thomas J. Scharf, *History of Maryland,* (2 vol., Baltimore Md. 1879), II, 604-5. Cited by J. R. Heller III, "Democracy in Maryland 1790-1810" a senior thesis, Princeton University, 1959, p. 9.

[10] Heller, *op. cit.*, 21.

[11] *Ibid.*, 43-44.

The Federalists came, perhaps, nearer to their true colors when in January, 1799 they attempted to pass an amendment to the constitution to eliminate perjury at elections by requiring the voter to produce documentary evidence of tax assessments to indicate his " worth " at £30 [13] or that he possessed a freehold of fifty acres of land. The enforcement of this measure would certainly have eliminated voters of marginal property. This gave the Republicans their opportunity and thenceforward they took the lead in advocating not only suffrage extension but the secret ballot. Federalists in the House tried to turn the Republican flank by reporting a new bill to do away with property qualifications for the suffrage, which passed by a large majority, only to be turned down once more by the Senate. Since oaths of tax assessment were notoriously productive of perjury, it was logical enough either to require written evidence, or to abolish the property qualification which gave rise to the need. It was only after the tax assessment act had been passed that the parties began to treat this issue as a matter of electoral policy; but the incompleteness of party organisation is shown by the Federalist Senate's rejection of the move, by the Federalists in the House, to extend the franchise. To the common voter, it could only mean that the Republicans were the party of constitutional reform, dividing the parties on grounds of constitutional principle, which was just the impression that the House Federalists were evidently trying to avoid.

Divided though they might be on principle, the parties were little different in social substance. Both parties found support in slave-owning and plantation-controlled areas; smaller farming interests were more inclined to go Republican. The towns moved steadily towards the Republicans, who seem to have been able to enlist the mechanics and artisans; by 1803 only Georgetown remained Federalist. The leadership of both parties was provided by those who had traditionally governed: planters, merchants and lawyers. It was the familiar convention of the period, a government of the gentry, consolidated, not undermined, by a broadening basis of popular participation.

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[12] This passage, and the points of political narrative that follow, are taken from Heller, *op. cit.*

[13] *Laws of Maryland,* 1798, ch. CXVI, sec. 6. The bill appears to have been passed by a Federalist " rump " after the majority of members had gone home. It produced an outcry, and was not reintroduced in the succeeding session, as required to amend the constitution. *Assembly Proceedings* Jan. 1799. Bartgis' *Federal Gazette* Sept. 11, 1799. Cited by Heller, *op. cit.,* p. 47.

When the Republicans came into power in Maryland they demonstrated both the extent and the limits of their reformist intentions. They gained control of the House of Delegates in 1800, after a campaign in which interest was concentrated on the issue of legislative as opposed to popular choice of presidential electors. The Federalists had proposed to vest the choice of electors in the state legislature, a reversal of existing procedure, in order to offset the general ticket system which the Jeffersonians, equally for party purposes, had introduced in Virginia. The Federalist defeat in the House elections was followed in 1801 by Republican success in the quinquennial elections for the Senate. With control of the legislature at last established, they carried out their programme by passing the act which extended the suffrage to all adult white males [14] and by re-passing it, to effect a constitutional amendment, in the next session. It was in this act that the word "white" was first added to the list of the qualifications of voters, a significant feature of that expansion of general interest in politics which culminated—or recurred—in the Jacksonian period. It was in the constitutional revisions of (loosely speaking) the Jacksonian period that the exclusion of free Negroes from political life was completed in the South, and their restriction carried further in the North. The ballot was introduced in 1803 as part of the same measure.

Popular interest and participation in elections ran very high in many states in the Jeffersonian period. Party organisation reached into counties and townships and was supported by a vigorous and frequently partisan press. All this is not to be attributed to an adventitious or artificially stimulated excitement: the issues of the period were intrinsically important and go far to explain the rise of party politics. The parties, in turn, developed an interest in the issues that would maintain them in power or restore them to it. The statistics show a marked rise in the level of participation by voters from 1796 to 1800; and a distinct overall increase again in the congressional elections of 1803. It seems likely that the abolition of suffrage qualifications brought more men into the elections of that year; but a close examination shows that there had been outbursts of electoral activity which, in the majority of counties, had produced equally high figures in years before suffrage reform. In five counties, Allegheny, Calvert, Frederick, Harford and Washington, the voting in 1803 was outstandingly higher than ever before; in the remaining fourteen, there were occasional precedents for equally high voting. Suffrage restrictions may not have been working either uniformly or effectively, but their removal went far towards satisfying popular aspirations for political equality and left the parties more freedom to develop their electoral strategy. The elimination of the harrassing uncertainty as to the right to vote must be counted a positive gain both for individual voter and for political organiser.

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[14] *Ibid.*, sess. 1801, ch. 90, confirmed 1802, c. 20.

It would be a mistake, however, to see the parties of this formative period in a modern light, outlined by modern definitions. There are marked signs that the Senate, even under Republican control, still stood for the social principles which had inspired its foundation. It was by its constitution more remote than the House from the direct influence of the people, and it interpreted the maintenance of that remoteness as one of its constitutional duties. When, in 1804, the House passed a bill providing for the direct election of the Senate by the people, the upper chamber defended itself by adding a totally unacceptable amendment for proportional representation in the lower house. The Senate also defended the special position of the governor, rejecting, in January, 1805, a House bill for popular election. It may be added that many Republicans in the House had failed to support this bill.[16]

International affairs, and Jeffersonian foreign policy, would not permit political issues to subside. Both parties seem, after 1808, to have realised that future strength would be drawn from enlisting popular support throughout the constitutional process rather than by the maintenance of graduated restrictions. By the next wave of reforms, coming in 1809, all property qualifications were removed from appointive and elective office. Religious equality was also put on a constitutional basis. But the indirect system of election of governor, council and Senate was left untouched. Popular election of presidential electors and representatives in Congress was made part of the constitution at the same time.[17] Direct election of senators in the counties was introduced in 1837. The Council was then abolished and the governorship was opened to popular election.[18]

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[16] Heller, *op. cit.* 79-81.

While the constitution of Maryland had been growing more democratic, there was one important respect in which its effects, by mere conservatism, had been growing steadily more undemocratic. This was the basis of representation in the House of Delegates, unchanged throughout this period and left intact by the reforms of 1809-1810. Each county was entitled to four, Baltimore and Annapolis each to two, members in the lower house.[19] With the attrition of population in the lower counties, the vast growth of Baltimore, and the thickening of settlement in western counties, this system developed, without attention, the characteristics of an ingrown gerrymander. The agrarian interests, watching the rise of the city with distrust, clung to a system which afforded them a form of defence against the representation of numbers. It could be seen, philosophically, as a continuation of the respectable whig concept of a government devised to incorporate and protect a variety of economic and professional interests; but in blunt fact it was a safeguard against the rule of the majority.

Intimations of the strength of this majority had been given as early as 1790, in which year the reader's scepticism is likely to be aroused by the extraordinary turnout of the voters of Baltimore. The returns show a poll by adult males that barely halts itself at 100 per cent. The explanation lies in an intense struggle for control of the state's congressional delegation between the interests centered on the Chesapeake and those on the Potomac. The Baltimore vote was the decisive factor in the Chesapeake victory.

In such conditions, there could not be much permanent hope of controlling the political process by constitutional restraints on the suffrage. Popularity could too easily be whipped up by candidates making claims on behalf of those who were disfranchised, or whose position was doubtful.[20] The future lay with those who could mobilise the franchise of the masses, not with those who would restrict it. This, in retrospect, is plain enough; and a certain interest must attach to the problem of explaining the apparent reticence of the Jeffersonians of Maryland in setting about this task of mobilisation. Some of their leaders, in both House and Senate, seem to have thought that the tasks of a Republican party of opposition to Federalist policies could be discharged by the recognized social and political leaders, under existing constitutional safeguards; it was only after hesitation, as constitutional reform became linked with party politics, that the Republicans agreed in proclaiming the connection between their general principles and the specific demands for a greater measure of popular participation in the political life of the state. If the problems of that political life are considered within the context of the deeply ingrained sense of social order and the habits of deference which characterised the eighteenth century and were formally expressed by the constitution of 1776, and if the continuity of the Republican leadership with that social order is also understood, then it may be suggested that the impetus to Republican organisation was not in its origin an impetus to constitutional reform. Reform came quickly, and was taken up in fact by both parties; but it was a consequence rather than a cause of their formation.

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[17] Thorpe, *op. cit.,* 1705-1712. It had previously been effective under statute.

[18] Thorpe *op. cit.*, 1691.

[19] Heller, *Ibid.*, 14 et seq.

[20] A case in point is that of the disputed election in Frederick County in 1788. In this case John Ritchie petitioned against the return of his rival, Peter Manz. He alleged that Manz had declared that if Ritchie objected to the qualifications of anyone offering to vote for Manz, then Manz had decided to announce in public his opinion that all men ought to be privileged to vote; and if Ritchie persisted

Before political parties, the social conditions of reform were brought into existence by the rise of Baltimore. This, in Maryland, is the outstanding feature of the period; but its implications reach far beyond the bounds of the state, and make of Maryland herself an astonishing forcing-house of the democratic process, against all expectation, and against the intentions of the framers of her recent constitution. The whig principles embodied in the constitution were essentially similar to those of Virginia, though they were actually applied in Maryland with more care and elaboration. In both states, these institutions eventually crumbled before the great equalizing forces that were to take command in the nineteenth century. These forces did not rise from any single source.

in his objections after this, it was expected to cause him great unpopularity. Manz himself told the judges that he himself would object to no-one, because he held that every freeman should have the vote.—Petition of John Ritchie, Frederick County, Oct. 18, 1788. Executive papers, Hall of Records. (Incorrectly attributed to Queen Anne's County in J. R. Pole, " Suffrage . . . in Maryland . . .," *loc. cit.*, 221.)

But it is surely one of the most striking facts about the history of these developments that the complex and carefully guarded constitutional structure of Maryland gave way before the democracy of the great sea-port city of Baltimore a full generation earlier than the defences of the old order in Virginia were reduced by forces which sprang from the settlement of the West.

MARYLAND ELECTION STATISTICS, 1790 TO 1812

By J. R. POLE and J. R. HELLER III

The following table supersedes that published in the *Journal of Southern History,* XXIV (May, 1958), n. 2, 223-225.

We would like to acknowledge the patient assistance of Mr Gust Skordas, of the Hall of Records. Professor Richard P. McCormick has kindly compared this tabulation with copies in his own possession, has offered several corrections and filled in some missing figures, including most of the presidential returns for 1812. If any mistakes have survived either in copying, in arithmetic or in method, they are our own.

The statistical method remains as described in earlier notes, e. g., *J. S. H.* May, 1958, p. 223 n. 23. The population figures for the years before 1800, which are very inadequately broken down by the first U. S. Census, have been inferred by a method of extrapolation from the demographic tendency through three census returns, those of 1790, 1800 and 1810. It is impossible to arrive at conclusive figures on the basis of the early census returns, and the most that can be claimed for these, especially between 1790 and 1800, is that they are reasonable approximations. They are in any case adequate to the purpose of generalising about participation in elections, where broad inferences are more important than minute detail.

All the voting particulars have been taken from returns in the Executive Papers in the Hall of Records.

Population figures are from the United States census returns.

MARYLAND ELECTION STATISTICS 1790–1814

Year	County	Free Adult White Males	Total Free Adult Male popn.	Election	Votes	% F. A. W. M.	% Total
1790	Allegheny	886	—	Con.	408	46	—
	Anne Arundel	2,336	—	"	166	7	—
	Baltimore Town	3,072	—	"	3048	99	—
	Baltimore County	4,214	—	"	2486	57	—
	Calvert	880	—	"	238	27	—
	Caroline	1,365	—	"	690	50	—
	Cecil	2,236	—	"	901	40	—
	Charles	2,184	—	"	1018	46	—
	Dorchester	2,087	—	"	549	26	—
	Frederick	5,610	—	"	688	12	—
	Harford	2,352	—	"	1285	54	—
	Kent	1,428	—	"	635	44	—
	Montgomery	2,592	—	"	1419	54	—
	Prince George's	2,113	—	"	975	46	—
	Queen Anne's	1,681	—	"	499	29	—
	St. Mary's	1,819	—	"	380	20	—
	Somerset	1,760	—	"	181	10	—
	Talbot	1,512	—	"	297	19	—
	Washington	3,040	—	"	1152	37	—
	Worcester	1,600	—	"	280	17	—
1792	Allegheny	1,021	—	Con.	148	14	—
	Anne Arundel	2,350	—	"	1,275	54	—
	Baltimore Town	3,422	—	"	1,209	35	—
	Baltimore County	4,500	—	"	1,433	31	—
	Calvert	858	—	"	493	57	—
	Caroline	1,370	—	"	497	36	—
	Cecil	2,094	—	"	1,204	57	—
	Charles	2,128	—	"	1,166	55	—
	Dorchester	2,041	—	"	582	28	—
	Frederick	5,611	—	"	438	7	—
	Harford	2,390	—	"	1,166	49	—
	Kent	1,388	—	"	765	55	—
	Montgomery	2,432	—	"	1,119	46	—
	Prince George's	2,069	—	"	1,192	57	—
	Queen Anne's	1,655	—	"	1,119	67	—

MARYLAND ELECTION STATISTICS 1790–1814 (*Continued*)

Year	County	Free Adult White Males	Total Free Adult Male popn.	Election	Votes	% F. A. W. M.	% Total
	St. Mary's	1,739	—	"	514	29	—
	Somerset	1,784	—	"	256	14	—
	Talbot	1,516	—	"	1,066	71	—
	Washington	3,126	—	"	321	10	—
	Worcester	1,756	—	"	778	44	—
1794	Allegheny	978	—	Con.	679	69	—
	Anne Arundel	2,364	—	"	1,141	48	—
	Baltimore Town	3,772	—	"	160	4	—
	Baltimore County	4,786	—	"	43	1	—
	Calvert	836	—	"	578	69	—
	Caroline	1,377	—	"	530	38	—
	Cecil	1,952	—	"	1,289	66	—
	Charles	2,072	—	"	1,264	61	—
	Dorchester	1,995	—	"	1,176	59	—
	Frederick	5,612	—	"	924	16	—
	Harford	2,428	—	"	1,256	51	—
	Kent	1,348	—	"	695	51	—
	Montgomery	2,272	—	"	1,102	48	—
	Prince George's	2,025	—	"	635	31	—
	Queen Anne's	1,629	—	"	1,004	61	—
	St. Mary's	1,659	—	"	525	31	—
	Somerset	1,808	—	"	468	25	—
	Talbot	1,520	—	"	651	42	—
	Washington	3,212	—	"	1,211	37	—
	Worcester	1,912	—	"	699	36	—
1796	Allegheny	1,024	—	Pres.	649	63	—
	Anne Arundel	2,378	—	"	390	16	—
	Baltimore Town	4,122	—	"	765	18	—
	Baltimore County	5,072	—	"	731	14	—
	Calvert	814	—	"	266	32	—
	Caroline	1,383	—	"	162	11	—
	Cecil	1,810	—	"	392	21	—
	Charles	2,016	—	"	442	21	—
	Dorchester	1,949	—	"	583	29	—
	Frederick	5,613	—	"	1,917	34	—
	Harford	2,460	—	"	618	25	—
	Kent	1,308	—	"	774	59	—
	Montgomery	2,112	—	"	1,310	62	—

MARYLAND ELECTION STATISTICS 1790–1814 (*Continued*)

Year	County	Free Adult White Males	Total Free Adult Male popn.	Election	Votes	% F. A. W. M.	% Total
	Prince George's	1,981	—	"	1,226	62	—
	Queen Anne's	1,603	—	"	538	33	—
	St. Mary's	1,579	—	"	419	25	—
	Somerset	1,832	—	"	24	1	—
	Talbot	1,524	—	"	581	38	—
	Washington	3,298	—	"	2,035	61	—
	Worcester	2,068	—	"	133	6	—
1800	Allegheny	1,115	1,140	Pres.	571	51	50
	Anne Arundel	2,406	2,796	"	1,218	50	43
	Baltimore Town	4,820	5,512	"	1,935	40	35
	Baltimore County	5,641	6,014	"	1,077	19	17
	Calvert	768	844	"	221	28	26
	Caroline	1,392	1,542	"	560	40	36
	Cecil	1,524	1,617	"	1,015	66	62
	Charles	1,904	2,046	"	621	32	30
	Dorchester	1,858	2,449	"	850	45	30
	Frederick	5,614	5,732	"	3,808	68	66
	Harford	2,539	2,875	"	808	31	28
	Kent	1,230	1,676	"	758	61	45
	Montgomery	1,788	1,853	"	1,267	71	68
	Prince George's	1,893	2,055	"	1,192	63	58
	Queen Anne's	1,555	1,811	"	824	53	45
	Somerset	1,881	2,027	"	302	16	14
	St. Mary's	1,421	1,576	"	340	24	21
	Talbot	1,536	1,933	"	689	44	35
	Washington	3,471	3,556	"	2,122	61	59
	Worcester	2,379	2,491	"	530	22	21
1801	Allegheny	1,130	1,155	Con.	641	56	55
	Anne Arundel	2,421	2,854	"	1,189	49	41
	Baltimore Town	5,253	6,013	"	1,254	23	20
	Baltimore County	5,538	5,912	"	460	8	7
	Calvert	768	847	"	387	50	45
	Caroline	1,392	1,552	"	261	18	16
	Cecil	1,599	1,706	"	407	25	23
	Charles	1,871	2,009	"	805	43	40
	Dorchester	1,876	2,474	"	343	18	13
	Frederick	5,652	5,777	"	2,561	45	44
	Harford	2,585	2,943	"	909	35	30

MARYLAND ELECTION STATISTICS 1790–1814 (*Continued*)

Year	County	Free Adult White Males	Total Free Adult Male popn.	Election	Votes	% F. A. W. M.	% Total
	Kent	1,230	1,681	"	286	23	17
	Montgomery	1,819	1,894	"	850	47	45
	Prince George's	1,846	2,115	"	954	51	45
	Queen Anne's	1.567	1,860	"	405	25	21
	St. Mary's	1,407	1,562	"	339	24	21
	Somerset	1,928	2,040	"	285	14	14
	Talbot	1,540	1,948	"	220	14	11
	Washington	3,462	3,551	"	2,052	59	57
	Worcester	2,383	2,510	"	269	11	10
1803	Allegheny	1,160	1,185	Con.	952	82	80
	Anne Arundel						
	Baltimore Town and County	11,453	11,925	"	8,284	72	69
	Calvert	769	853	"	607	79	71
	Caroline	1,392	1,572	"	653	47	41
	Cecil	1,748	1,884	"	782	44	41
	Charles	1,804	1,935	"	1,063	59	55
	Dorchester	1,912	2,524	"	681	35	27
	Frederick	5,728	5,867	"	4,728	82	80
	Harford	2,676	3,079	"	1,821	68	59
	Kent	1,230	1,691	"	625	50	36
	Montgomery	1,880	1,976	"	1,369	72	69
	Prince George's	1,752	2,235	"	940	53	42
	Queen Anne's	1,592	1,976	"	892	56	45
	St. Mary's	1,379	1,534	"	509	36	33
	Somerset	1,921	2,066	"	580	30	28
	Talbot	1,548	1,978	"	595	38	30
	Washington	3,444	3,541	"	2,505	73	71
	Worcester	2,390	2,548	"	584	24	23
1804	Allegheny	1,175	1,200	Con.	341	29	28
	Anne Arundel	2,527	3,208	"	900	35	28
	Baltimore Town and County	11,784	13,122	"	2,888	24	22
	Calvert	770	856	"	322	41	37
	Caroline	1,393	1,582	"			
	Cecil	1,823	1,973	"	382	21	19
	Charles	1,770	1,898	"	304	17	16
	Dorchester	1,930	2,549	"	1,002	52	39

MARYLAND ELECTION STATISTICS 1790–1814 (*Continued*)

Year	County	Free Adult White Males	Total Free Adult Male popn.	Election	Votes	% F. A. W. M.	% Total
	Frederick	5,765	5,912	"			
	Harford	2,721	3,147	"	1,272	46	40
	Kent	1,230	1,696	"	389	31	22
	Montgomery	1,911	2,017	"	918	48	45
	Prince George's	1,705	2,295	"	704	41	30
	Queen Anne's	1,604	2,031	"	341	21	16
	St. Mary's	1,365	1,520	"	631	46	41
	Somerset	1,918	2,079	"	1,217	63	58
	Talbot	1,553	1,993	"	862	55	43
	Washington	3,435	3,536	"	502	14	14
	Worcester	2,394	2,567	"	2,014	84	78
1806	Alleghany	1,206	1,230	Con.	496	41	40
	Anne Arundel	2,597	3,144	"	1,820	70	57
	Baltimore Town and County	12,446					
	Calvert	771	862	"	368	47	42
	Caroline	1,393	1,602	"	1,014	72	63
	Cecil	1,973	2,151	"	1,155	59	58
	Charles	1,703	1,822	"	818	48	44
	Dorchester	1,966	2,599	"	1,841	94	71
	Frederick	5,839	6,002	"	3,519	60	58
	Harford	2,813	3,281	"	1,868	66	57
	Kent	1,230	1,706	"	729	59	42
	Montgomery	1,972	2,100	"	1,712	86	81
	Prince George's	1,611	2,414	"	1,432	89	59
	Queen Anne's	1,630	2,140	"	1,009	61	46
	St. Mary's	1,337	1,493	"	529	39	35
	Somerset	1,910	2,105	"	1,203	63	57
	Talbot	1,562	2,021	"	1,200	77	59
	Washington	3,417	3,526	"	2,012	59	57
	Worcester	2,401	2,604	"	1,771	73	68
1808	Alleghany	1,235	1,260	Con.	892	72	70
				Pres.	843	*34	33
	Anne Arundel	2,670	3,260	Con.	1,557	58	47
				Pres.	636	*12	10
	Baltimore Town	8,292	9,523	C.	3,952	47	41
				P.	2,848	*17	15

* See notes to 1812.

MARYLAND ELECTION STATISTICS 1790–1814 (*Continued*)

Year	County	Free Adult White Males	Total Free Adult Male popn.	Election	Votes	% F. A. W. M.	% Total
	Baltimore County	4,811	5,195	C.	3,706	77	71
				P.	1,780	37	34
	Calvert	772	865	C.	783	100+	91
				P.	728	94	84
	Caroline	1,393	1,622	C.	1,099	78	67
				P.	898	64	55
	Cecil	2,122	2,330	C.	1,919	90	82
				P.	881	41	37
	Charles	1,640	1,746	C.	1,111	67	63
				P.	398	24	22
	Dorchester	2,003	2,655	C.	1,047	52	39
				P.	1,014	50	38
					(incomplete)		
	Frederick	5,914	6,095	C.	4,983	84	81
				P.	4,809	*41	40
	Harford	2,905	3,419	C.	1,919	66	56
				P.	1,158	39	33
	Kent	1,229	1,713	C.	1,154	93	67
				P.	467	37	27
	†Montgomery	2,034	2,185	C.	1,559	77	71
	Prince George's	1,516	2,534	C.	1,396	92	55
				P.	1,154	76	45
	Queen Anne's	1,651	2,251	C.	1,344	81	59
				P.	431	26	19
	St. Mary's	1,308	1,465	C.	713	54	48
				P.	321	24	21
	Somerset	1,890	2,131	C.	1,001	52	46
				P.	741	39	34
	Talbot	1,572	2,050	C.	1,281	81	62
				P.	1,057	67	51
	Washington	3,400	3,516	C.	2,568	75	73
				P.	2,590	*38	37
	Worcester	2,410	2,641	C.	1,460	60	55
				P.	864	35	32
1810	Alleghany	1,266	1,294	Con.	317	25	24
	Anne Arundel	2,738	3,376	"	1,669	61	49

*, † See notes to 1812.

MARYLAND ELECTION STATISTICS 1790–1814 (*Continued*)

Year	County	Free Adult White Males	Total Free Adult Male popn.	Election	Votes	% F. A. W. M.	% Total
	Baltimore Town	9,158	10,525	"	5,075	36	32
	Baltimore County	4,611	4,995	"			
	Calvert	773	870	"	386	50	44
	Caroline	1,394	1,644	"	893	64	54
	Cecil	2,272	2,508	"	1,022	45	40
	Charles	1,569	1,672	"	567	41	39
	Dorchester	2,038	2,704	"	938	46	34
	Harford	2,997	3,552	"	1,401	47	39
	Kent	1,229	1,723	"	511	41	29
	Montgomery	2,096	2,265	"	374	17	16
	Prince George's	1,423	2,654	"	1,369	96	51
	Queen Anne's	1,681	2,365	"	665	39	28
	St. Mary's	1,279	1,438	"	457	35	31
	Somerset	1,894	2,158	"	572	30	26
	Talbot	1,580	2,080	"	781	49	37
	Washington	3,382	3,502	"	757	22	21
	Worcester	2,416	2,679	"	1,890	78	71
1812	Alleghany	1,344	1,372	Con.	1,085	80	79
				Pres.	950	*35	34
	Anne Arundel	2,816	3,474	C.	2,127	75	61
				P.	1,266	*23	18
	Baltimore Town	9,576	11,105	P.	3,467	*18	16
				C.	4,273	44	38
	Baltimore County	4,793	5,211	C.	4,966	100+	95
				P.	2,394	50	45
	Calvert	780	888	P.	599	76	67
				C.	367	47	41
	Caroline	1,406	1,664	P.	1,111	79	66
				C.	1,245	88	75
	Cecil	2,346	2,620	P.	1,549	66	59
				C.	972	41	37
	Charles	1,596	1,650	P.	451	28	27
				C.	1,189	74	72
	Dorchester	2,061	2,704	P.	1,113	54	41
				C.	1,927	93	71

* Under the election law of 1806, ch. XCVII, these counties were arranged in districts each of which chose two electors, so that each voter was entitled to cast two votes. The per centage figures have accordingly been halved.

MARYLAND ELECTION STATISTICS 1790–1814 (*Continued*)

Year	County	Free Adult White Males	Total Free Adult Male popn.	Election	Votes	% F. A. W. M.	% Total
	Frederick	6,242	6,509	P.	4,717	*38	36
				C.	5,500	88	84
	Harford	2,917	3,424	P.	1,410	48	41
				C.	1,602	55	46
	Kent	1,219	1,709	P.	984	80	57
				C.	576	47	33
	†Montgomery	2,010	2,255				
				C.	1,564	77	69
	Prince George's	1,512	2,544	P.	1,109	73	43
				C.	1,539	100+	60
	Queen Anne's	1,719	2,293	P.	1,127	65	49
				C.	1,182	68	51
	St. Mary's	1,287	1,448	P.	311	24	21
				C.	517	40	35
	Somerset	1,942	2,252	P.	766	39	33
				C.	1,545	79	68
	Talbot	1,596	2,076	P.	1,392	87	67
				C.	1,446	90	69
	Washington	3,554	3,676	P.	2,304	*32	31
				C.	2,910	81	79
	Worcester	2,396	2,681	P.	988	41	35
				C.	1,930	80	71

† Under the election law of 1806, Montgomery County was divided between a district electing one, and a district electing two electors, making it impossible to infer hte number of voters from the number of votes cast.

THE CAUSES OF THE MARYLAND REVOLUTION OF 1689 *

By Michael G. Kammen

1. A GENERATION OF CONFLICT

An event so sweeping as a revolution does not flare up by spontaneous combustion. Certainly in Maryland there had been elements smouldering and tempers burning for several decades prior to 1689. One need only point to the spasmodic outbursts which occurred in 1659, 1676, and 1681. Although the details are beyond the scope of this study, it should be noted that there was continuity both in issues and in the nature of the membership of the factions involved—a continuity which began roughly two decades after the founding of Maryland and which lasted into the eighteenth century.

The two opposing factions are hereafter called the Proprietary Party and the Party of Resistance. The latter term refers essentially to the leaders of the revolution and their immediate following. The general population was far too poor, isolated, uneducated, and consequently apathetic, to be politically active. The Party of Resistance was one degree removed economically, socially, and politically from the provincial sources of authority. Following the revolution many of the insurgent leaders displaced the provincial elite, filling the vacancy left by those forcibly turned out, and struggling in turn to retain their grasp of the newly won authority.

Those who made the revolution did not consciously object to the abstract evil of an outworn and archaic polity, but rather to injustices which grew out of it and affected them directly. The friction sparked by these injustices was basically irreconcilable because the Proprietary Party rooted its claims in the charter, whereas the Party of Resistance stressed the precedents set by the House of Commons and the rights of seventeenth century English-

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* Inscribed to the Memory of David Perry Steinman.

men. Nor did the insurrectionists resent political privilege *per se*—they simply sought to control and channel it in their own direction.

The feudal socio-political order inherent in the Maryland charter was predicated on the assumption of a stable and ordered society. Yet the province was marked by great social mobility, a dynamic feature not easily reconciled with the inflexibility of the charter. And finally, the political reins were held by a small co-öpting Catholic minority—an inflammable situation in an age of intolerance.[1]

That the rebels were able to achieve such sweeping success so rapidly can only be understood in terms of the issues troubling the province. It should not be expected that each of these issues affected the leaders personally. A successful revolution required two groups personnel-wise: an articulate and aggressive leadership and a discontented populace. It was not essential that each desire the overthrow of the proprietary power for like reasons. The leaders were opportunists and saw the seeds of success in the unhappy province. To gain their ends and promote their interests they advocated the causes of the inhabitants at large. As a consequence, the causes and meaning of the Maryland revolution have eluded the grasp of historians. A comprehensive understanding of its causes must seek both the narrow interests of those who led, as well as the broader interests of those that followed. Of course the two overlap, and frequently coincide, but it is possible to distinguish them.

The following discussion will select and examine certain grievances which were continually found oppressive during the period from the Restoration of Charles II until the overthrow of his brother—to use landmarks most meaningful to the participants in our story. Certain themes may be marked which unite and characterize so many of the issues. The injustices which the inhabitants resented frequently revolved about the arbitrary and unreasonable exercise of the proprietary authority. The problem of "parliamentary privilege" runs as an undercurrent throughout, but perhaps the most striking feature of the issues at stake is their largely procedural nature. Procedure appears to weigh equally with substance as a bone of contention, but only because procedure was so often the prologue and pathway to the real cynosure—control of the sources of provincial power.

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[1] Charles M. Andrews, *The Colonial Period of American History*, 4 vol. (New Haven, 1934-38), II, 327; William A. Reavis, "The Maryland Gentry and Social Mobility 1637-1676," *William and Mary Quarterly*, 3rd Series, XIV (1957), 418-428.

Other writers have sufficiently proved that favoritism and nepotism were rife in Maryland government during this period. The council has correctly been called a family ring and office-holding a family affair. The proprietor distributed offices heavily to his relatives who were predominantly Roman Catholic. The claim of the Protestant Association in 1689 that the Catholics held the offices of " trust, profit, and honor " irrespective of their qualifications was not unreasonable. Appointments of Protestants to major offices were unusual and largely token gestures. And then, they were most often bound to the interests of the Proprietary Party through generous land grants and ties of marriage.[2] The Calverts controlled their party through patronage and land distribution.[3]

The years after 1670 witnessed a heavy increase in settlement and a corresponding desire on the part of the proprietor to increase his revenue. In 1680 Charles Calvert established a land office and in 1684 he created a land council of four members, all Catholic and all members of the provincial council. He authorized the land council to determine all matters relating to land, and two of its members, the secretaries of the province, he empowered to issue land warrants and sign grants. The entire council was instructed with regard to escheats, surveying, rents, leases, and caveats. In this way the distribution and regulation of land was kept tightly in the grasp of the Proprietary party.

The use of patronage caused the greatest bittnerness.[4] Accounts of the proprietor's use of this power reached England and in 1681 the Lords of Trade and Plantations even wrote to Lord Baltimore that " We are informed that very few of the King's Protestant subjects are admitted to the council of Maryland, and that there is partiality and favour shown . . . to Papists to the discouragement of the Protestants." Calvert was also upbraided for favoring Catholics over Protestants in the distribution of arms and ammunition for Indian defense. Fearful lest they be used against him, the proprietor denied arms to many settlers at the very time when they were clamoring for more adequate Indian protection.[5]

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[2] For example, Thomas Taylor and Benjamin Rozer were both Protestant members of the council in 1680. Three extensive land grants were made to the former and Rozer received a 2,000 acre chunk on one occasion; "The Calvert Papers," *Maryland Historicial Society Fund Publications, No. 28* (Baltimore, 1889), pp. 77, 259.

[3] Donnell M. Owings, *His Lordship's Patronage, Offices of Profit in Colonial Maryland* (Baltimore, 1953), *passim*; C. M. Andrews, *Period*, II, 333; Francis E. Sparks, *Causes of the Maryland Revolution of 1689*, (*Johns Hopkins University Studies in Historical and Political Science*, series XIV, Nos. 11-12, 1896), 48-49, 64, 87, 90, 93, 99; "Maryland's Grevances Wiy The Have Taken Op Arms," Beverly McAnear, ed. *Journal of Southern History*, VIII, 1942, 397.

[4] Newton D. Mereness, *Maryland as a Proprietary Province* (N. Y., 1901), p. 60; John Kilty, *The Land-Holder's Assistant and Land Office Guide* (Baltimore, 1808), pp. 108-117; *Archives of Maryland*, 67 vol., William H. Browne, and others, eds. (Baltimore, 1883-1956), XVII, 254-260. (Older secondary works may refer to

The Party of Resistance expressed continued resentment at its lack of control over office-holding, and the lower house in particular wanted greater supervision over appointments and fees. Through crucial offices the Calverts were able to maintain control on all provincial levels. Friction inevitably developed between the parties over these strategic offices.

Just such an office was that of sheriff, the plum of local patronage. The sheriff served all writs and warrants, took bail from the accused, inflicted all required punishments and imprisoned criminals. He collected all taxes, rents, revenues, forfeitures, fines, and served as escheator for the proprietor. Writs of election were issued through him, and he conducted the election and made the returns. He received ten percent of all he collected and was responsible to the proprietor alone. There lay the problem. He was entirely beyond the jurisdiction of the county courts, the nuclei of the disaffected Party of Resistance.[6]

It is not difficult to envision the sheriff as an unpopular man, particularly when beyond the control of those whose lives he affected. Complaints against abusive actions by sheriffs were frequent, and it was the expressed and explicit desire of the lower house to make the sheriff less independent and more responsible to the county courts. Many, many of the inhabitants cried out at the confiscation of their tobacco by hasty and greedy sheriffs.[7] Several illustrations may indicate the problem more clearly.

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the unpublished manuscript books. Only the published volumes have been used for this study and are referred to hereafter as *Arch. Md.*)

[5] *Calendar of State Papers, Colonial Series, American and West Indies, 1681-1685*, J. W. Fortescue, and others, eds. (London, 1860-1934), # 256. (Referred to hereafter as *C. S. P.*)

[6] *Arch. Md.*, III, 147; Cyrus H. Karraker, *The Seventeenth Century Sheriff* (Philadelphia, 1930), p. 142; Sparks, *Causes*, 25-6.

[7] John Fiske, *Old Virginia and Her Neighbours*, 2 vol. (Boston, 1897), II, 153-4; For examples see *Arch. Md.*, I, 260, 289, 308, 360, 369; VII, 286-7.

In 1666 the speaker of the lower house received a complaint from a member of that house that he was sitting illegally because at a court held for Baltimore County the clerk and sheriff (the same man occupied both positions) held a rapid and premature election at which few were present. According to the distressed delegate (apparently sitting on his own initiative) the choice of burgesses ran contrary to the real intent of the people owing to the improper action of the sheriff.[8]

In 1671 charges were brought by the lower house against Richard Tilghman, sheriff of Talbot County, for levying and exacting from the residents more tobacco than was due as set by the county commissioners; for extorting fees from the inhabitants of the county, for " commencing vexatious suits " against several of the inhabitants; and for levying from John Ingram in taxes his entire stock of corn raised to sustain his family for one year (The last in spite of an act of assembly providing for such cases).[9]

This same controversial office was also the touchstone for abstract disputes over points of constitutional law. The proprietor vested authority in the sheriff by means of two or more indentures to issue writs and summon the elected burgesses. The lower house felt this suggested that the power and consent for the burgesses was derived from the sheriff, whereas they felt the power of the delegates to the assembly was " only from the freemen by their Delegation." [10]

However, any effort to regulate the office of sheriff was checked, as in 1669, when the lower house was told that the appointment of sheriffs was a power belonging to the proprietor alone and that no act might be passed to the contrary. This announcement was made shortly after the lower house had passed an act " Providing Against Sheriffs Taking Excessive Fees." [11]

Unreasonable action on the part of the proprietor with regard to elections was also a source of conflict. Before 1670 all freemen could vote. In that year the proprietor restricted the franchise to holders of 50 acres or £40 sterling in real property. Since this was not legislated, it must have appeared as a sheer assumption of prerogative. At any rate, it became more of a problem as the rising number of indentured servants fulfilled their obligations and swelled the ranks of the freeman class. In 1683, for example, efforts by the lower house to gain the suffrage for all freemen were balked by the upper house.[12]

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[8] *Arch. Md.*, II, 74.

[9] *Arch. Md.*, II, 247.

[10] *Arch. Md.*, VII, 452-3.

[11] *Arch. Md.*, II, 192, 197, 200.

Another election issue aroused a greater furor. It was customary for the proprietor to issue writs authorizing the election of four delegates per county. Nevertheless, on numerous occasions he summoned only two of the duly elected four. This occurred in 1671, 1676, and 1681. In 1678 the lower house passed an act providing for four delegates per county, but the proprietor refused to honor it, and in 1681 issued a proclamation setting the number permanently at two. Nor did the proprietor summon half of those elected with consistency. Used sporadically it served as a convenient device to rid the Calverts of troublemakers in the assembly. The session of 1669, for example, had been most acrimonious. Yet the half-dozen years that followed were harmonious, very possibly because the proprietor was able to eliminate many of the agitators. By prorogation of the assembly from 1671 until 1676, Calvert prevented new elections from being held and his opponents from returning to active, official political life until 1676. As agents of the proprietor and responsible for issuing the summons to assembly, the sheriffs shared with Lord Baltimore the hatred aroused by this issue.[13]

Still another problem links the questions of offices and parliamentary privilege. It centered on the right of the speaker of the lower house to issue warrants to fill vacancies in that house. The procedure in the House of Commons was for the speaker to issue the warrants to the clerk of the crown. The lower house professed its ignorance of any comparable officer to whom warrants might be issued in Maryland. Consequently they requested that the proprietor appoint such an officer. In 1681 the lower house stated that there were thirteen vacancies because of death and illness, and resolved that the speaker should issue warrants to fill these places according to the "Diverse and Manifold Presidents of the Lower House of Parliament in England . . . the only Sure Rule for this house to Act by in this and all other their Proceedings." This apparently never became effective because in 1683 the upper house passed an ordinance providing that in case of death in the lower house, either commissioners, the sheriff, or the surviving delegate of the country should issue the new writ to the secretary to fill the vacancy. The lower house replied to this proposal that such notice might be neglected or might be insufficient to prevent a person from remaining a member who should not—a most revealing reply. It indicated that the lower house was basically seeking control over its own membership. It is significant that this statement came on the heels of two controversies: one over the seating of John Coode in the lower house and the other over the impeachment of Jacob Young by that same body. This problem arose again in 1688 along with many others of equally long standing.[14]

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[12] Sparks, *Causes*, 50; Fiske, *Old Virginia*, II, 154; C. M. Andrews, *Period*, II, 339; Herbert L. Osgood, *The American Colonies in the Seventeenth Century*, 3 vol. (N. Y., 1907), III, 483-4.

[13] *Arch. Md.*, II, 241; Sparks, *Causes*, 51, 89; Wesley Frank Craven, *The* Southern *Colonies in the Seventeenth Century,* 1607-1689, W. H. Stephenson and E. M., Coulter, eds., *A History of the South,* 10 vols. (Baton Rouge, 1949), I, 411; *Narratives of the Insurrections*, 1675-1690, Charles M. Andrews, ed., *Original Narratives of Early American History* (N. Y., 1915), 307; *Arch. Md.*, VII, 118, 122, 126, 134, 333, 345, 455; II, 241; VIII, 225; C. M. Andrews, *Period*, II, 339-342.

In 1681 the proprietor issued an ordinance " concerning elections " which embodied many of the issues thus far discussed and which indicated their unity, rather than their discreteness. The document asserted that election writs were to be issued from the Court of Chancery to the sheriffs, directing the election of two delegates per county. In case of a vacancy by death, application was to be made to the secretary to have an election writ issued from the Court of Chancery. No sheriff was to be elected. Through this unilateral device the proprietor effectively reduced popular representation, eliminated an opportunity for the lower house to control its own membership, insured the power and independence of the sheriffs and their control by the Proprietary Party, and implied that representation was a privilege granted from the top, not a right inherent in the bottom of the system.[15]

One of the most keenly felt causes of unrest in Maryland lay in the status of legislation within the province. During the quarter-century preceding 1689 one grievance stands out owing to the great consternation it consistently caused; there was no time limit on the proprietor's veto. He denied legislation years after it had problem. One facet is the procedural device itself: the injustice been passed an put into effect. The result was a double-barreled of repealing laws by which a group has regulated its life for years. Another lies in the character of the very legislation at stake. Why did the lower house feel certain laws desirable and necessary, and why did the proprietor feel it equally essential to reject them? [16]

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[14] *Arch. Md.*, VII, 114-115, 119-120, 123-127, 453.

[15] Sparks, *Causes*, 85; for the bitter reaction of the lower house to this see *Arch. Md.*, VII, 452-3.

At the commencement of the session of the general assembly of 1669 Lord Baltimore vetoed certain acts passed at the sessions of 1663 through 1666. The first was an act for quieting possession of land and regulating its future conveyance. This was designed to benefit the small landholder by maintaining the spirit, rather than the letter of the law. It relaxed legal technicalities, providing, for example, that five years quiet possession was sufficient title to land. A second act, for appointing a public notary, represented an attempt to localize control over official papers and documents by making it unnecessary to send to England for certification. A third was an act for the preservation of orphans' estates. Not only was this intended to provide legal protection for orphans, but of larger significance, it would have made wills and testaments inviolable by the judges and courts. A fourth act, for controlling arrests and summonses by sheriffs and a rule for entering and filing actions and petitions, illustrates again the need felt by the Marylanders to regularize the actions of the sheriffs by making them more responsible to the people. An act for proceedings at law stated that in the absence of provincial law to govern a situation, English law was to apply. An act providing what shall be good evidence upon bills and bonds from England was geared to protect the settlers from unsubstantiated suits from abroad. Still another disallowed by the proprietor concerned the payment of debts due by bill. Apparently, many bills once paid were re-presented to debtors. The act therefore provided that no bill or bond would be allowed three years after the day it was judged.[17] It does not seem unfair to observe that these laws were in the interest of the people at large. They were vetoed because they loomed as minatory to the *doyens* of the Proprietary Party.[18]

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[16] *Arch. Md.*, II, 168; XIII, 171; VIII, 102-103; McAnear, "Grevances," 398; *Arch. Md.*, VII, 152.

[17] *Arch. Md.*, II, 157; I, 487, 498-99, 493, 504, 502, 647.

[18] The cumulative effect of the proprietor's veto should also be noted. Immediately after being notified of Calvert's disassent to these laws, the lower house requested a copy of the charter for their examination. At the following session the lower house retaliated by attempting to reduce the governor's export duty on

In 1684 the proprietor vetoed *all* the laws passed at the productive session of 1678—a total of eighteen acts. To mention a few is to explain why: an act directing the manner of electing and summoning delegates and representatives in assemblies (regularizing the procedure as the lower house desired); an act for recording all laws of the province in the secretary's office (". . . considering the many mischiefs Errors and inconveniencyes which did arise and were Comitted in this Province by reason the Lawes were not ascertained what were lawes or what lawes Continued Repealed and unrepealed. . . ."); an act for the election of sheriffs (" Forasmuch as there haue lately been great Complaints Generally made from all part of this Province of the great absurdities and abuses Comitted by severall Sherriffes of this Province upon severall Inhabitants of the same. . . ."); an act for appeals and regulating writs of error (" Forasmuch as the liberty of appeales from Judgments of County Courtes heretofore granted by an Act of the Generall Assembly of this Province Entituled an act to prevent vnecessary delayes of Execucōns is found to be of great vse ease and benefitt to the people of this Province Butt the said Act is not soe full and cleerly drawn in some particulars thereof as the same ought to be. . . ."); an act for limiting county clerk's fees (". . . multiplicity of suites and actions are moved and stirred in the . . . County Courts to the great profits of the Clerkes thereof in their fees. . . .").[19]

In the light of the foregoing it is not difficult to sympathize with the statement in the Declaration of the Protestant Association in 1689 that " our Laws, whereby our Liberty and Property subsists, are subject to . . . Arbitrary Disposition, and if timely Remedy be not had, must stand or fall according to his Lordship's Good Will and Pleasure." [20]

Several of the acts cited above relate to issues already discussed, while others foreshadow problems to come. One such problem is suggested by the title of the act for reviving and confirming certain laws.[21] Laws passed were to be valid for three years or

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tobacco. The proprietor then countered by restricting the franchise. Emotions and antagonisms were heightened in this way (Sparks, *Causes*, 45).

[19] *Arch. Md.*, XIII, 108; XVII, 261; All the acts vetoed will be found in VII, 51-105.

[20] *Arch. Md.*, VIII, 103.

[21] The following discussion may raise more questions than it resolves. Unfortunately the *Archives* are often suggestive but rarely definitive. I can only offer a few sketchy conclusions which the records seem to indicate.

until the end of the next general assembly. Because there was not continuity in legislation, it was necessary at the end of each session to revive all former laws the delegates wished to see continued. Moreover, there was technically a distinction between perpetual and temporary laws. In order to lend a law permanent status, however, the proprietor had to assent to it as such. This he rarely did because he was able to veto temporary laws at any time, whereas laws he had assented to in perpetuity could only be repealed with the consent of the assembly. A by-product of this problem was the resulting uncertainty as to what laws the proprietor had actually accepted. For instance, in 1674 the lower house sent a curious query to the upper asking what laws the proprietor had approved since 1659.[22] There remain several other reasons why the Marylanders were uncertain of the laws under which they lived.

The proprietor consistently did all in his power to keep the people ignorant of the contents of his charter, as well as what laws were in effect at any given time. The lower house constantly sent messengers to the upper in quest of a copy of the laws.[23] Although the upper house usually complied with the request, it is significant that the lower house was never allowed to keep its own copy of the provincial statutes or the charter. In addition, in 1681 Lord Baltimore disassented to the repeal of the Act Prohibiting the Sale of his Lordship's Ordinance which had been passed in 1678. As a result of such tergiversation people smuggled out copies of the charter, the seriousness of which was indicated in 1683 by an act pending, which would prohibit the " Imbezelling his Lōps Ordnance." [24]

There were continual efforts of various kinds to overcome ignorance of the provincial law. In 1669, for example, the lower house initiated an " Act for the publication of all the laws now in force." As one further facet of this same problem, one might note that in 1684, shortly before his departure for England, Calvert instructed the secretary to carefully keep the laws of the province from all persons " that they shouldn't be endangered or damaged." [25]

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[22] *Arch. Md.*, XIII, 123; VII, 188; XIII, 4, 94; II, 374.

[23] And with remarkable tact and diplomacy. The lower house usually asked to see the charter so that they might not " infringe his Lordship's Prerogative "! *Arch. Md.*, II, 341; see also II, 119, 159.

[24] *Arch. Md.*, VII, 188; 603.

[25] *Arch. Md.*, II, 189; XIII, 109.

The greatest concern of the Party of Resistance, however, *was* the use of the veto power, and it is necessary to return to this in another form. In 1681 the lower house stated its desire that all laws made at the preceding session (1678) should not be repealed, abrogated, voided, or vetoed without its consent. They concluded by saying that

> Nothing can or ought to be Satisfactory to us, or to the Freemen of this Province (whom we Represent) unless we are Ascertained of the Validity force and Continuance of the Laws of this Province under which we live, and from whence we Expect protection and Safety and to the enacting of which we have been and Still are lyable to So much Trouble & Expense [26]

The Marylanders frequently requested that the proprietor designate an officer empowered to assent to laws (or veto them) in his absence. They simply did not want their laws disapproved years after they had become effective. Calvert and the upper house continually denied such requests, stating that that power belonged to the proprietor alone. The lower house then tried another approach. In 1684 Lord Baltimore was asked for a guarantee that in his absence from the province he would indicate his opinion of laws within eighteen months. Calvert admitted that he had agreed to this request three years earlier, but that he now felt he could not bind his heirs who might need 20 months to decide. Therefore, *he* would require three years before making public *his* attitude to the laws passed! [27]

The law caused one more sore spot between the opposing parties. The upper house refused the request of the lower to have all the laws of England in force in the province without reservation. This would appear to be another instance of the Party of Resistance seeking a closer tie to the Crown in order to avoid the arbitrary fiat of the proprietor. The upper house gave as cause for its disapproval the fact that English laws were so voluminous and often repealed, unknown to the American colonials. Therefore, they contended, the lower house should realize how unsafe it would be for the Maryland judges to proceed against criminals by such uncertain laws. In 1684 Lord Baltimore told the lower house that " It is not safe to have Justice administered According to the lawes of England." He added that where the provincial laws were silent, English law might be applied, subject, however, to the interpretation of the " Justices of *my* Court." Under these circumstances it would not be illogical for the Marylanders to have felt that political security lay in closer ties to the mother country. Close ties demanded the demise of the proprietary power.[28]

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[26] *Arch. Md.*, VII, 160-161.

[27] Sparks, *Causes*, 45; *Arch. Md.*, VII, 181-182; XIII, 40, 94.

An interesting undercurrent of a more complex nature pervaded the period under consideration and added heat to the friction between the houses of the general assembly. Charles Barker has written of the problem of parliamentary privilege that

> The elected houses of all the colonial assemblies—whatever their individual differences—shared a common language of agreement in asserting their ambition for power. It was the language of English constitutionalism or parliamentarianism, which had matured and gained currency in the course of the seventeenth century at home. Maryland excelled in its use. As early as 1638 the assembly declared that the members should have ' powers, privileges, authority, and jurisdiction ' similar to those of the House of Commons. . . .[29]

In various ways the lower house attempted to imitate parliament and follow its traditions. Each session began with the presentation of the speaker to the governor, just as the speaker of Commons was presented to the king. Standing committees were established with names and functions similar to those of Parliament. Officials were elected and rules adopted on the English pattern. It is true, of course, that they knew no other model, but there was a value in such imitation—it lent overtones of parliamentary power.[30]

In 1661 Governor Philip Calvert assured the lower house that it had all the privileges of a parliament in England. In 1669, however, Governor Charles Calvert took the opposite view when antagonized by the lower house. He told that body they were

> not to Conceive that their privileges run parallel to the Commons in the Parliament in England, for that they have no power to meet except by Virtue of my Lords Charter, so that if they in any way infringe that they destroy themselves; for if no Charter there is no assembly, No Assembly no Privileges. . . . Their power is but like the common Council of the

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[28] *Arch. Md.*, II, 374; XIII, 39.

[29] Charles A. Barker, " The Revolutionary Impulse in Maryland," *Md. Hist Mag.*, XXXVI (June, 1941), 129; See also *Arch Md.*, I, 74, 388.

[30] Barker, " Impulse," 129.

> City of London which if they act Contrary or to the overthrow of the Charter of the City run into Sedition. . . .

The governor concluded by threatening to dissolve the assembly immediately unless they fell into line.[31]

When asked in 1666 to attend the chamber of the upper house with regard to a bill, the lower house complied but then refused to debate the bill, claiming it was their right and privilege to carry on their discussions in private. In 1669 the upper house wanted to know why the lower house refused to approve a certain act. They were told that it was " against the Privileges of their house to give their Reasons in the Upper House for their disassent to any Bill." In 1676 the upper house asked the lower to bring impeachment charges against an officer. The lower insisted upon the right to consider the punishment as well as the crime. In 1681 the lower house expressed its unhappiness that the proprietor should be surprised at their asserting their rights and privileges from Commons rather than " the imperfect Proceedings of the . . . Colonies " since the former was their inherent right and " Birthright though born in this Province." They concluded that " his Majesty has Reserved for us the rights and Priviledges of Englishmen . . . [which] . . . We insist upon." Also in 1681, during a dispute over the seating of John Coode in the lower house, that body replied that " this house will take the said message into their Consideration and give his Lordship Such Satisfaction therein as in Justice they ought, not infringing the rights and Priviledges of this house." Following a long and acrimonious session in 1682, the lower house made one of its most radical assertions. It had received a note from the upper saying that the two houses legally represented the freemen of the province. In reply, the lower house resolved that " the Deputies and Delegates chosen by the Freemen of this Province in a General Assembly are the only Representative Body of the Freemen of this Province." [32]

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[31] *Arch. Md.*, I, 398; II, 178; VII, 118-119, 492. It is problematical what devices the proprietor used to gain legislation favorable to him. Mereness (*Maryland*, p. 33) states that when the lower house was balky or stubborn, Lord Baltimore would call the body before him and force them to assent to his measures. Mereness does not explain by what means other than verbal chastisement, and I have not been able to throw new light on this question.

[32] The Party of Resistance did not stand on parliamentary privilege as a purely abstract or theoretical device. In almost every instance some tangible and very material issue can be seen in the background. For example, with regard to the last case cited, the lower house felt as a consequence that the expenses of the

One final illustration of this theme might be cited. In 1683 two members of the lower house complained that a summons was issued from the Provincial Court to the sheriff of Kent County ordering them to appear before the council on 30 October. This conflicted with their attendance at the assembly, and they believed that they might not be legally summoned until the assembly was prorogued, adjourned, or dissolved. They found their summoning against " the privilege due to members of this house This house Takeing into serious Consideraccōn & finding presidents th^{t} the members of parliament have priviledge . . . for their persones . . . Dureing th^{t} time, from suits, Arrests Imprisonm^{ts}. . . ." They concluded " that every member of this house be priviledged in their persones for sixteen dayes exclusive and fifteen dayes Inclusive before and After the sitting of Every sessions of Assembly in such manner as the members of parlament [in] England are priviledged:" The time span of these incidents indicates the persistence of the theme of parliamentary privilege in Maryland politics prior to the revolution.[33]

The Party of Resistance also felt that under the existing regime the Crown was not rendered the proper faith and allegiance that was its due. They stressed this particularly in relation to the hindrances placed in the way of the king's customs officers by agents of the proprietor. The reader must realize that loyalty was not the only motivation here. The customs collector was a member of the Party of Resistance and was paid a percentage of his receipts. It was also a source of ill-will that the Marylanders were required to take the oath of fidelity to Lord Baltimore.[34]

There was another broad context within which the Party of Resistance felt oppressed at the hands of the proprietor. It is intimately related to the problems already reviewed and may be called the maladministration of justice. In the seventeenth century the Maryland courts and court officers were tightly controlled by the Proprietary Party. In the light of what has preceded it should not come as a surprise that justice was often administered to suit

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upper house should not be paid from public funds. I do not believe, however, that privilege was purely a front to obscure the real desires. Both substance and procedure seemed to be of equal concern. *Arch. Md.*, II, 41, 190, 474-512; VII, 125-126, 113, 373.

[33] *Arch. Md.*, VII, 572.

[34] *Arch. Md.*, V, 271; see later 26-27, 44-45; See also McAnear, " Grevances," 402-403.

the interests of that party. It would be well, therefore, to pause briefly to examine the character of the court system, noting the extent of plural office-holding in particular.[35]

The justices of the Provincial Court were also members of the upper house, the council, justices of the High Court of Chancery, and the Probate Court. They held office at the pleasure of the proprietor and were so subject to his influence that they were unlikely to displease him by passing decisions unfavorable to his interests. All the justices were also large landholders, and most held lucrative offices not connected with the courts. This duplication of office made it frequently unclear in what capacity a judge was acting. Appeals from the Provincial Court (the governor and council) were sent to the upper house (exactly the same men)! The incongruity of appealing from one group of judges to themselves under a different name did not escape the attention of the legal minds of the province, many of which led the revolution of 1689. To illustrate, one might cite Henry Darnall and William Digges, both judges of probate, commissioners general, members of the council, justices of the provincial court, and keepers of the great seal in 1683. Both of course were relatives of the proprietor.[36]

The position of secretary was a most important one in the province. The incumbent recorded all grants of land and position and was empowered to probate and record all wills and inventories. He was clerk of the upper house and secretary of the council. Under certain conditions he collected the rents and other proprietary dues and even acted as attorney general on occasion. It is not surprising, therefore, that many of the grievances voiced by the Party of Resistance were against unreasonable action on the part of the secretary. Since several leaders of the revolution were active in the courts as legal representatives, many of these grievances affected them personally. For example, it was felt that the exaction of 1200 lbs. of tobacco yearly from practicing attorneys by the secretary was unreasonable.[37]

Numerous complaints were also directed at the improper conduct of the judges in fulfilling their offices. One arose over the probate of wills and will serve to indicate the general nature of these issues. In 1669 the lower house petitioned the upper for redress from the unrest caused by the excessive charges to probate wills and administer small estates. People living far from the offices were forced to travel long distances in order to clear their claims. Consequently small estates were almost wholly consumed in official and travel expenses, leaving little to pay creditors and the debts of the deceased. Often wife and child were left destitute.[38]

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[35] See especially, *Arch. Md.*, II, 168-9; V, 134-9; XIII, 172-7; VIII, 101-7; McAnear, " Grevances," 392-409.

[36] *Arch. Md.*, LXVI, xi; LXV, xi; Carroll T. Bond, *The Court of Appeals of Maryland* (Baltimore, 1928), p. 6; Edith E. MacQueen, "The Commissary in Colonial Maryland," *Md. Hist. Mag.*, XXV (June, 1930), 194; *Archives,* XVII, 129-130, 360.

[37] Sparks, *Causes*, 24-5; McAnear, " Grevances," 400; for example, see later, 38, 42, 44, 48.

In considering the administration of justice, one other topic of importance remains. An act against mutinous and seditious speeches provided drastic physical punishments for offenders. It left entirely to the judges to interpret what was to be considered seditious, and this was felt unreasonable by the Party of Resistance.[39] Because of the close ties between the proprietor and the judges, the inhabitants were obliged to watch their most off-hand remarks very closely. This may help explain the tendency of many nineteenth century historians to view the years preceding the revolution as a quiescent period. Perhaps the outcry against oppression was somewhat muted by the fear of harsh retribution.[40]

An economically distressed group is unquestionably more susceptible to unrest than a prosperous one. When economic restrictions are tightened rather than relaxed during a depressed period, the aggrieved people will be doubly restless and resentful. Such was the situation in Maryland during the quarter-century preceding the revolution. Maryland was dependent upon a tobacco-staple economy which was at the mercy of a fluctuating market and an unreliable currency. As a result the value of the leaf was at rock bottom throughout this period, owing also to overproduction.[41] Attempts to impose restrictions on tobacco production from above were bound to cause friction, particularly among those farmers whose entire livelihood depended upon the sale of the crop.[42]

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[38] *Arch. Md.*, II, 160; McAnear, "Grevances," 399.

[39] That the punishments meted out for sedition (e. g., splitting the nose, boring the tongue with a hot iron, imprisonment, banishment, death, and confiscation of goods and lands) were not more severe than elsewhere in that day and age in no way lessens the fact that the Party of Resistance found them partial cause for revolt. The same may be applied to many of the injustices discussed.

[40] McAnear, "Grevances," 401; *Arch. Md.*, VIII, 104; Fiske, *Old Virginia*, II, 153; *CSP, 1681-1685*, # 513; Sparks, *Causes*, 55; *Arch. Md.*, III, 445-449.

[41] Tobacco was generally valued at 1 d. per lb. through this period.

In 1681 a pair of shoes that had previously sold for one hide, cost four. Further evidence of the state of the provincial economy is suggested by the fact that in 1682 corn, wheat, oats, barley, rye, peas, pork, beef, and bacon were made legal tender except in payment of rents and public levies. Finally, one should note the legislation passed against fugitives and runaways. There was a steady flow of people departing the province, unable to pay their debts.[43]

During the generation preceding the revolution, two problems stand out with regard to the tobacco problem. The second in point of time occurred in 1688 and will be discussed in another connection.[44] The first arose in 1666 over a proposed year cessation in tobacco planting. Cessation was desired by the proprietor (though in this instance he submitted to the force of a contrary public opinion) in order to encourage the production of other commodities. The governor and officers of rank favored cessation because their fees, paid in tobacco, were diminishing in value. The lower house opposed it on several grounds: that cessation would cause a depopulation of the province; that to be effective it must be accepted by all the colonies; that it would discourage merchants from sending their ships to Maryland;[45] and that the low price of tobacco was not due to overpopulation, but to the insufficient supply of ships to take it away. Although cessation was never put into effect, the heat generated by the fiery arguments over it remained impressed on the minds of the people and particularly the delegates to the lower house—the backbone of the Party of Resistance. This heat would help ignite the conflagration of 1689.[46]

Rather than lighten his monetary demands during these depressed years, the proprietor chose to stiffen them. In 1671 the quitrents were doubled at a time when tobacco had suffered a 50% reduction in value. It was also during this period that the proprietor chose to tighten the conditions of settlement. Originally, 100 acres had been granted to anyone who came and settled, with added land for each servant transported. This was reduced to 50 acres, and in 1683 the proprietor ceased to grant land merely on condition of settlement. In that year Lord Baltimore III began to sell land to applicants at the rate of 100 lbs. of tobacco per 50 acres plus the annual quitrent. This rate was soon increased to 120 lbs. and in 1684 was fixed at 480 lbs. As a result of this continuous change and uncertainty the lower house asked that the conditions of plantation be made public.[47]

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[42] Vertrees J. Wyckoff, *Tobacco Regulation in Colonial Maryland* (Baltimore, 1936), Chs. 4 and 5.

[43] *Arch. Md.*, VII, 222; VII, 321; in 1669, for example, the upper house proposed "an Act Enjoining all Persons that intend to depart this Province to give sufficient Notice of their departure." *Arch. Md.*, II, 188.

[44] See later.

[45] Note the recurrence of this fear 22 years later, see later.

[46] *Arch. Md.*, II, 36-49; It can be said generally of most of these long range problems that they built up a backlog of emotionalism which carried its own weight long after the actual issues slipped into obscurity.

Land provided still another serious bone of contention. Since all land was held by socage tenure, it was liable to escheat for the lack of an heir or non-payment of rent. Escheat was often resented owing to the poverty in the province. In 1674 the lower house petitioned the proprietor to

> assure his Rents some other way than by Escheating Lands in soe short a time as three yeares for the Non Paymt of Rent & tht his Lordship would be Pleased to take noe advantage by anie forfeiture tht is not actually Escheated allreadie by virtue of the law for deserted Plantacons & tht the Upper house

would concur with the lower in this. The petition went on to condemn the unjust prosecution of cases by the proprietor, particularly when a person's right was good "though the certificate not be of long standing." It concluded with the request that all instructions from the proprietor to the governor concerning land be published and recorded in the county courts within six months after being received by the governor.[48]

Another source of distress with regard to escheat was the tendency of the proprietor to reclaim and regrant land *before* the court inquiry was completed. Such malversation is vital to an understanding of the revolution of 1689 because it so directly affected prominent members of the Party of Resistance.[49] The premature granting of lands by Lord Baltimore lends weight to the charge that justice was not always equitably administered.

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[47] Mereness, *Maryland*, 34; *Arch. Md.*, V, 63-4, 390-1, 394-5; XVII, 143, 239; VIII, 396; *CSP, 1681-1685*, # 1069.

[48] *Arch. Md.*, II, 356.

[49] See later.

During the decade preceding the revolution there was a steady friction between the two parties over a pending act for the advancement of trade which the proprietor desired. It required that all ships trading in the province unload, sell, and barter all imported goods at certain designated points. Moreover, all tobacco exported would have to be brought to these same " ports." London, Bristol, and Glasgow merchants wanted definite trade centers where their factors could establish stores through which could pass the profitable exchange of colonial products for the manufactured goods of the mother country. The act would have been most harmful to the lesser tobacco planters. Any planter with a waterfront had always been able to load tobacco and unload goods directly at his own farm or plantation. The act would have imposed a burdensome expense in time and transportation. Moreover, it would raise the property values of the areas selected, usually the wharfs of the planters already favored by the Calverts with land grants and offices. After prolonged and angry sessions the act was passed, but it never became effective. As V. J. Wyckoff has shown, the very convenience of so many adequate waterways tended to retard the establishment of towns, and the multitude of shipping places made trade and fiscal regulations most difficult to enforce.[50]

The port duties provided another source of conflict during this period. The lower house felt that all ships built in the province and those owned by residents should not be required to pay such duties. They hoped thereby to stimulate the provincial trade. The upper house contended that if the officer's fees for entering and clearing ships were removed it would throw the clerks who performed the work out of jobs.[51] They added that the duties were due the proprietor on every " Tunn Burthen which this house Say is a Perquisite Jnherent to his Lordship for the Support of his Government." In 1680 there were about 80 vessels per year visiting Maryland. In 1689 there were only 15 or 16 entering the province yearly. The records are incomplete but the port duties may well have been partially responsible for the reduced commerce.[52]

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[50] Mereness, *Maryland,* p. 109; *Arch. Md.,* VII, 609, 350, 369, 460, 465, 469, 488; Sparks, *Causes,* 91; Wyckoff, *Regulation,* pp. 86-7.

[51] The Proprietary Party came complete with bureaucracy and spoils!

[52] Archives, VII, 143-145, 276, 291-2; Vertrees J. Wyckoff, " Ships and Shipping of Seventeenth Century Maryland," *Md. Hist. Mag.*, XXXIV (1939), 272. It is significant that at *least* several of the leaders of the revolution were merchants and/or shipowners. See later, 46, 47.

The gulf between the two parties was dramatized and intensified psychologically by religious differences. That the Proprietary Party was predominantly Catholic and the Party of Resistance predominantly Protestant tended to emotionalize and heighten the more deeply felt political and economic issues at stake. Divisiveness, suspicion, and intolerance mixed with ignorance provided the flint by which such revolutionaries as John Coode could set the Province ablaze.

What issues can be isolated as of a distinctly religious nature? Very few. The complaint recurred on numerous occasions that the provincial government failed to provide support for a Protestant clergy. Although the claim is true in theory, the number of Protestant denominations would have made it difficult to accomplish. The problem of Quakers refusing to take oaths occurred frequently and followed the pattern one would expect—the lower house defended the Quakers against the proprietor's demands as forwarded by the upper house. And it was often protested that orphans were given Catholic educations irrespective of the religion of their parents, contrary to the orphans' law.[53]

On occasion sensational incidents occurred to dramatize the hostility between the opposing factions. Just such an incident was the murder of Christopher Rousby, a Protestant, and collector of the king's customs, by George Talbot, a Catholic, the chairman of the council and a relative of the Calverts. The circumstances of the murder have been adequately recounted elsewhere.[54] It is sufficient to indicate here the bitter feelings aroused among the people at large and the Party of Resistance in particular. Passions were raised to a white heat. The fact that Talbot was never brought to justice increased the impression that favoritism held sway in the provincial government and that something was assuredly rotten regarding administration of justice. Of lesser importance, it seemed to vindicate the feeling held by many that inadequate allegiance was rendered the king and his officials. Thus the Protestants could say in all sincerity that

> Not only private but publick outrages, & murthers committed and done by papists upon Protestants without redress, but rather connived at and tolerated by the cheif in authority, and indeed it were vain to desire or

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[53] *Archives*, I, 406; II, 356, 427, 492; VII, 184; VIII, 102, 103.

[54] Craven, *Colonies*, 412; Clayton C. Hall, *The Lords Baltimore and the Maryland Palatinate* (Baltimore, 1902), p. 119.

> expect any help . . . either in these or any other grievances or oppresions, . . . these are the men that are our Cheif Judges at the Comon Law in Chancery of the Probat of Wills and the Affairs of Administration in the Upper House of Assembly. . . .

What a poignant objurgation by a harried people! [55]

But what caused all this smouldering mass to flare up in 1689? The question may best be answered by observing the provincial predicament at the close of the ninth decade of the seventeenth century. Only a few years before, Lord Culpeper had summarized the situation well:

> Maryland is now in torment, troubled with poverty but in very great danger of falling in pieces either because old Lord Baltimore's politic maxims are not pursued or that they are unsuited to this age.[56]

2. PROBLEMS AND CIRCUMSTANCES ON THE EVE

Why does a revolution occur in one year rather than another, or not at all? There is no all-embracing answer. To say that conditions reached a nadir, or that circumstances proved propitious begs the question. As for the Maryland revolution of 1689, it is only possible to point to a combination of causal elements which reached a peak *pari passu* certain external forces which were making the success of an attempted insurgency possible. In addition to new issues, certain old ones cropped up again in 1688 and 1689.

A fresh controversy made its appearance in 1688. As one might guess, tobacco was the cause.[57] The proprietor and upper house had sporadically advocated laws restricting tobacco packing and regulating its quality for export. These attempts were opposed by the lower house, and many seem harsh considering the prevailing economic conditions. In August, 1687, sixteen English merchants petitioned the king to prohibit the exportation of bulk tobacco from the colony. The following year an order was sent from the Crown through Lord Baltimore to his representative here prohibiting the exportation of tobacco in bulk from Maryland. That the order came from above was less important than the enthusiasm and relish with which the Proprietary Party prepared to enforce it. In announcing it to the assembly, President William Joseph (Baltimore's first-in-charge) anticipated opposition and haughtily said that it *must* be obeyed.[58]

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[55] Fiske, *Old Virginia*, II, 157-158, 159; Sparks, *Causes*, 97; *Arch. Md.*, VIII, 104-105.

[56] *CSP, 1681-1685*, #319.

[57] See earlier.

This myrmidon may have been correct, but he was not subtle, diplomatic, or prudent. The wealthy Maryland merchants and planters opposed the exportation of tobacco in bulk because it lowered the price, made fraudulent packing easier, and glutted the market.[59] Since the large planters were also the prominent landholders, their incomes did not depend on the sale of tobacco alone. In addition to their rents, most could fall back on large estates. On the other hand, the economic groups below them, represented by the Party of Resistance, were entirely dependent upon the sale of their tobacco. Telling them to reduce output was like telling Grangers in the 1870's to lower surpluses in order to raise prices. It may be good economics, but the farmer rarely studied economics and generally distrusted theorists.

Why did the opponents of the Proprietary Party react so violently to the proposed prohibition? Once again the lower house served as its spokesman, registering its protest in the November session of the general assembly. The objections began with the observation that the prohibition would be injurious to the king and the proprietor. That it would reduce duties due James and Calvert is of small concern here. The protest as it concerned their own interests is of vital significance.

> it would hinder and Deprive the good people of the Sale of all their Tobacco Except such as is Extraordinary bright & Dry Tobacco fitt for the London Merchants who buy it with intent to Transport the Same for Holland, and break off the Trade of those Small Ships that come from the West and North Countrys who bring in great Quantitys of Severall Serviceable Goods & Supply this Province therewith, And not only so but with those Goods at better prices Purchase their Dark Tobacco which is that, that's Generally Bulkt, And is such that the Londoners will not buy nor carry out, And so all that Tobacco which is not very bright and dry of which the greatest part Consist would lye and rott upon the Owners hands and they thereby perish for want of such of those Goods these small West and North Country Ships bring.[60]

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[58] *Arch. Md.*, VII, 288; *CSP, 1685-1688*, # 1396, 1397; *Arch. Md.*, VIII, 45-46; *CSP, 1685-1688*, # 1481, 1482, 1489, 1498; *Arch. Md.*, XIII, 151; VIII, 148.

[59] For the best argument in favor of prohibition see *CSP, 1681-1685*, # 1397.

[60] *Arch. Md.*, XIII, 198-199; *CSP, 1689-1692*, # 9.

This statement needs little interpretation. Bulk tobacco was packed in huge hogsheads in which all qualities of leaf might be inserted. The alternative was to place only the whole leaf in the smaller casks which were easily examined and which required the planter to ship only the highest quality tobacco. The lower house argued that the tobacco grown by most of the inhabitants was only for bulk transport, and that the new regulation would severely limit the amount of tobacco exported. The small tobacco growers found a small, informal, scattered market that would buy ground leaves, seconds, and even stalks, easier to please than specified merchandising outlets for only their best tobacco. In addition, the outport traders brought serviceable consumer goods to the province at lower prices than the London merchants. And there was one other consideration. The designation "bulk" allowed a lower shipping classification carrying port duties and freight charges much below those attached to tobacco in casks.[61]

It was of the utmost importance, therefore, to the Party of Resistance that prohibition not become effective. Fortunately for them, the monarchical changes in England relieved the group of the issue in part. Complete alleviation of the problem required the elimination of the Proprietary Party, which seemed so closely bound to James through both religious and economic ties.[62] Thus when it appeared that Lord Baltimore was refusing to proclaim the new sovereigns in Maryland, the anti-Proprietary forces felt the only protection for their economic and political interests lay in the overthrow of the provincial government.[63] But before turning to this question, other tenebrous issues were reaching their full growth in 1688.

The records fail to disclose any direct opposition to the collection of the quitrents as such.[64] But the inhabitants lacked specie.[65] So long as they were allowed to pay their rents and fees in tobacco they were placid. When the council proposed in 1688 that rents be paid in sterling, tempers flared immediately. The need and desire of the settlers had been indicated in 1669 when the lower house passed an "act for Paymt of money debts with tobacco," and circumstances were unchanged. Although the plan of the Proprietary Party was defeated, Lord Baltimore's splenetic agents went about demanding sterling anyway, agitating the populace immeasurably for 18 months prior to the revolution.[66]

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[61] Wyckoff, *Regulation,* pp. 99, 101, 96, 101.

[62] Despite the fact that the crown had instigated *quo warranto* proceedings against Calvert's charter.

[63] See later, 32-33.

[64] Beverly W. Bond, Jr., "The Quit Rent in Maryland," *Md. Hist. Mag.*, V (Dec., 1910), 361.

[65] In 1671, for example, an act had been introduced "for the Advancement of fforeigne Coynes." *Arch. Md.*, II, 286-287.

The theme of parliamentary privilege recurred in 1688 in a new guise. The lower house insisted upon its right to appoint clerks to *all* committees, while the upper house replied that they could make such appointments for their own committees but not for joint ones. The upper house then accused members of the lower serving on joint committees of sneaking off, meeting privately without the chairman and members of the upper house, and appointing their own clerk. It is almost inconceivable that such apparently minor issues could add as much as they did to the tension between the two parties on the eve of the revolution.[67]

There was still another procedural problem which arose at this time—the question of prorogation. The proprietor had not infrequently prorogued the assembly to suit his purposes.[68] It was a convenient device, enabling him to dismiss a session running contrary to his interests without risking the new election that might return a still more unfavorable group, or, losing temporary legislation advantageous to him. In addition, since he was required to hold a meeting of the general assembly with a certain frequency, prorogation enabled him to call sessions at his pleasure, since it was not the equivalent of adjournment. In 1688 and 1689 the question reached a climax.[69]

The November, 1688, session had been fraught with controversy. It was prorogued until the following April by techy William Joseph, heading the council. When April came the reconvening was postponed until October. This was doubly alarming, coming as it did on the heels of two rumors which swept the province. The first occurred in March and ran to the effect that the Catholic Proprietary Party was in league with the Indians and French to massacre the Protestants. The second was caused by the putative failure of the proprietor to proclaim the accession of William and Mary. Each must be considered briefly.[70]

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[66] Curtis P. Nettels, *The Money Supply of the American Colonies Before 1720*, (*University of Wisconsin Studies in Social Science and History*, No. 20, Madison, 1934), pp. 216-217; *Arch. Md.*, II, 200, VIII, 64; *CSP, 1689-1692, #9.*

[67] *Arch. Md.*, XIII, 190.

[68] See earlier.

[69] Fiske, *Old Virginia*, II, 155; *Arch. Md.*, XIII, 4; VIII, 225.

Historians have fully explored the details of the Catholic-Indian conspiracy rumor.[71] Maryland's thin and scattered population (25,000 in 1688) was spread over an area divided by a wide bay and broken by many creeks and rivers. That the colony was susceptible to whisperings and rumors may be seen in such legislation as " an act against divulgers of falce news." What is important to note here is the immense fear sincerely felt by most of the Protestant inhabitants, and even by many of the leaders of the revolution which followed in four months. Certainly the " Great Fear " helped pave the way for the ready acceptance by the settlers of the results of the revolution. In writing of the plight of the American farmer in the late nineteenth century, Richard Hofstadter has graphically described the situation in Maryland 200 years before. He refers to the tendency of the oppressed to suspect a conspiracy against themselves.

> This kind of thinking frequently occurs when political and social antagonisms are sharp. Certain audiences are especially susceptible to it—particularly, I believe, those who have attained only a low level of education, whose access to information is poor, and who are so completely shut out from access to the centers of power that they feel themselves completely deprived of self-defense and subjected to unlimited manipulation by those who wield power. There are, moreover, certain types of popular movements of dissent that offer special opportunities to agitators with paranoid tendencies, who are able to make a vocational asset out of their psychic disturbances.[72]

The conspiracy rumor added fuel to the fire. It also accentuated the religious dichotomy, as did the untimely death and consequent failure of Lord Baltimore's messenger to reach Maryland. The accession of William and Mary to the English throne was thus proclaimed in all the colonies save Maryland. At a time when the entire seaboard was talking excitedly of the change, Maryland had received no official word. What were the inhabitants to think except that their proprietor refused to recognize the demise of the

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[70] *Arch. Md.*, XIII, 210.

[71] See Bernard C. Steiner, " The Protestant Revolution in Maryland," American Historical Association, *Annual Report for the Year 1897*, pp. 281-353; Sparks, *Causes*, 79; Matthew P. Andrews, *History of Maryland: Province and State* (N. Y., 1929), pp. 178-179.

[72] *Archives*, II, 200; Richard Hofstadter, *The Age of Reform* (N. Y., 1956), p. 71. John Coode, the nominal leader of the revolt, fits the last description perfectly.

Catholic James? Occurring alongside the prohibition controversy, the Catholic-Indian conspiracy rumor, and the second prorogation of the assembly, it is not difficult to understand the tone of an extract from a letter written by one Nicholas Spencer of Virginia in June of 1689, one month before the revolution.

> The inhabitants of Maryland, mostly Protestants, are ragingly earnest for proclaiming King William and Queen Mary. They will not believe that the order has not arrived and that the government is not concealing it. Sometimes they are positive that they will proclaim their Majesties without the order, which will unsettle the whole government.[73]

One very strategic fact linked and reinforced these problems—the absence of the proprietor since 1684. Craven has keenly analyzed the significance of this element.

> The differences between resident and absentee landlordism are many and significant. The one is personal, prompt in action, and possessed of a certain elasticity permitting concessions in special circumstances without surrender of essential prerogatives. The other is marked by delay and misunderstanding, both of them calculated to strengthen the determination of either party to a conflict and thus to draw out differences to a point at which men are divided on principle.[74]

Lord Baltimore was caught in a cross fire. Aware of the unrest in his province, he was forced to return to England in 1684 to defend his lands against the claims of William Penn. There is no certainty, but had he been in the colony, it is very possible the revolt would never have occurred, or if it had, would have been quelled. Calvert's choice of subordinates during his absence was unfortunate indeed. The man he first left in charge, Talbot, proceeded to alienate the already cool affections of the settlers.[75] The *coup de grace* was applied in 1688 when William Joseph arrived as chairman of the council. This martinet's incredible stupidity in dealing with the opposition has been recorded elsewhere.[76] Cause for revolt was present before he arrived, but his ineptitude helped ignite the pyre which snuffed out his master's government for a quarter of a century.[77]

A final glance should be given the question of nepotism on the eve of the revolution. In 1685 seven of the nine members of the council were relatives of the proprietor. In 1688 "every office of importance with one apparent exception, was occupied by one of his relatives." In 1684, just prior to his departure for England, Lord Baltimore III created the land office which furnished many new offices for his relatives.[78] Ironically, the success of the revolution was due in great part to the fact that the Party of Resistance controlled the militia. The proprietor had neglected to appoint many of his faction officers because the positions were not lucrative.[79]

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[73] Craven, *Colonies*, 414; *CSP, 1689-1692*, # 194.

[74] Craven, *Colonies*, 205.

[75] See earlier.

[76] *Arch. Md.*, XIII, 147-153; Sparks, *Causes*, 98.

[77] William H. Browne, *Maryland, The History of a Palatinate* (Boston, 1887), p. 147.

The scope of this paper is limited to a study of the *causes* of the Maryland revolution. Yet, it would be amiss not to at least refer to one great element which made success probable for the insurgents of 1689. The revolts of 1659 and 1676 had failed because the proprietor had been supported by the Crown. The action of the Protestant Association in 1689, however, fit perfectly into the plans of William III to bind the English colonies closer to him. Through approving and accepting the changes wrought in Maryland, William aided their cause immeasurably.[80]

Who were *they*? What manner of men stepped into the situation that has been described thus far and led the revolution? This remains as the final consideration.

3. THE MAKERS OF THE REVOLUTION

The Proprietary Party was supreme in Maryland—socially, politically, and economically. Until 1689 the insurgent leaders were one step removed from positions of control. After that date they attained these offices and were able to dominate the province. Prior to the revolution they held, by and large, time consuming, non-lucrative posts. In addition, many of the rebels during the quarter-century preceding 1689 were "top-dog" on the local and county level. When they rose to the provincial level, however, they were stymied and balked by the tight control which the Proprietary Party exerted. The insurgents enjoyed their strong county positions because of the administrative needs of their expanding communities. With position came ideas of self-government, an independent spirit, and pride of place—all of which clashed with the archaic character of the government under which they lived and the inflexibility of the men controlling that government. The revolutionary leaders, intrenched locally, were also the group which dominated the lower house of assembly.[81]

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[78] See earlier.

[79] Sparks, *Causes*, 95, 93; Osgood, *Colonies*, III, 485; *CSP, 1681-1685*, # 349.

[80] Mereness, *Maryland*, p. 40; Browne, *Maryland*, p. 154-156.

The pertinent documents extant do not indicate that the proprietor was particularly generous with the members of the Party of Resistance. Generally, the few land grants they received were small and not well located. Moreover, in locating the proposed posts in 1683,[82] the plantations of these men were passed over. Either they were slighted or their holdings were too small to warrant such attention. There was an additional socio-economic implication which does not contradict what has preceded. It merely applies to *one* of the discontented groups. A freeholder might possess more land than the lord of a manor, yet he might not become one for lack of a patent from the proprietor. Such a condition again reflects the anachronistic nature of a vestigial feudal polity and the paradoxes which arose from it.[83]

Geographically the revolution can be located in the three major counties of the province—St. Marys, Charles, and Calvert. In fact, one may even view the leaders as living in concentric rings according to their importance, with St. Marys City as the nucleus. The two most important leaders were residents of the capital city. Four others were residents of the county of the same name. Two lived in Calvert, one in Charles, and one in Talbot.[84] Anne Arundel was a bit hostile and largely apathetic to the events of 1689, but it had been settled as a result of Puritan migrations from Virginia in the 1640's and had little to gain from an Anglican establishment in the colony. The outlying counties, particularly those across the bay, were more recently settled, less developed and less populated. In 1683 Baltimore and Cecil Counties near the head of the bay were a frontier region, considered so remote from St. Marys that settlers did not even try to obtain title to their land, necessitating a resident land commissioner. Thus the southeastern corner of the province provided the bulk of the leadership for the revolution and received most of its benefits, although the Protestants in nearly all of the counties rallied sufficiently to the cause to control their local governments.[85]

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[81] Craven, *Colonies,* 410; Mereness, *Maryland,* pp. 214-216, 237.

[82] See also *Arch. Md.,* VII, 609-619.

[83] Kilty, *Assistant, passim*; "Maryland Rent Rolls," *Md. Hist. Mag.*, XIX (Dec., 1924), 341-369; XX (Mar., Jun., Sep., 1925), 23-33, 183-199, 273-296; XXIV (Mar., Jun., Sep., 1929), 43-45, 132-145, 228-237; XXV (Jun., 1930), 209-218.

[84] The basis for determining leadership here has been Osgood, *Colonies,* III, 496. All the men to be discussed except Edmundson signed the Declaration of the Protestant Association in 1689.

As Newton Mereness has indicated, where population was sparse and social relations minimal, political activity was weakest. There was only one " urban center " in Maryland and it was the focal point of the revolution. Otherwise, support came from the rural areas of densest population, those areas where communications were most fully developed and planters might gather to discuss their mutual problems.[86]

The leaders of the Party of Resistance were largely tobacco planters. Perhaps of equal importance here, was another function most of them served in the provincial society—representing people at law. These men were most active in the courts and therefore well placed to observe the malfunctioning of the judicial system.[87] If these men were untrained professionally, they were nevertheless legally and politically alert. Most of them first appear in the Maryland records during the seventh and eighth decades of the century. Certainly they were aware of the changes in the English system which the Civil Wars had caused. Finally, many had been hurt personally by the machinations of the Proprietary Party.

The three leaders of the revolution were John Coode, Kenelm Cheseldine, and Nehemiah Blackiston.[88] Since they were all sons-in-law of Thomas Gerard, it would be well to examine first the Gerard family and its background. Gerard might be called the founder of the Party of Resistance. He played a leading role in the revolution of 1659 and was the only Catholic member of a Protestant family. The Gerards and the first two generations of the Cheseldine family span the period 1638 to 1725. All three generations were politically active in the province and unquestionably provided a continuity in political leadership for their faction. In fact, the family genealogist even notes parallels in the political careers of Thomas Gerard and Kenelm Cheseldine.[89]

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[85] Lewis C. Gray, *History of Agriculture in the Southern United States to 1860*, 2 vol. (Washington, 1933), I, 115; Osgood, *Colonies*, III, 497.

[86] Mereness, *Maryland,* p. 129.

[87] See earlier.

[88] Osgood varies slightly from this, *Colonies*, III, 496.

[89] Edwin W. Beitzell, " Thomas Gerard and His Sons-In-Law," *Md. Hist Mag.*, XLVI (Sept., 1951), 191-197; Fiske, *Old Virginia*, II, 161; Edwin W. Beitzell, *The Cheseldine Family* (Washington, 1949), pp. 1-3.

Gerard was born in 1605 and reached the colony in 1637. He was chosen a burgess from St. Marys Hundred the following year. He claimed 2,000 acres upon arriving and his holdings accumulated to about 11,400 acres at the time of his death in 1673. Although he defended Calvert against the Puritans in the 1650's, he broke with Calvert and sided with Fendall in 1658 and 1659. For his part in the uprisings of those years, Lord Baltimore ordered that Gerard's property be seized and that he be banished from the province. In 1661 his goods were restored with the proviso that he might never hold office. The break was in all probability caused by an escheat case.[90]

Through his wife, Gerard claimed the 1,000 acres called " Snow Hill " which had been granted in 1640 to Abel Snow, Gerard's now deceased brother-in-law. While the court inquiry was still pending over the title to the land, the proprietor repossessed and regranted it to two men for services rendered during Ingle's insurrection. Although the reissuance of title occurred in 1652, as late as 1683 the family was still petitioning for the return of the land.[91]

Obviously, the bitter feeling caused by the escheat of " Snow Hill " did not die with Gerard. Nor was it the only source of unrest in that family. For example, in 1671 action was taken against Gerard for removing an Indian from the province without the consent of the governor.[92] But the property problem was central and of lasting importance because Coode, Blackiston, and Cheseldine inherited Gerard's lands through marriages to his daughters.[93] It is easy to envision the family circle on the Gerard plantation in St. Marys County—all seated about the hearth—aroused and highly incensed over the proprietor's panoply of injustices.

John Coode was at least the nominal leader of the revolution. In so many ways he fits Hofstadter's portrait of the agitator " with paranoid tendencies " able to make a vocational asset out of his psychic disturbances.[94] I do not mean to write Coode's biography here.[95] Rather, of greater value, certain aspects of his career are selected to show why he opposed the proprietary interests. M. P. Andrews feels that Coode was a man of considerable ability and ambition, but unscrupulous in his ways and means of carrying on a movement which had some justification.[96] This is a far cry from the treatment Coode received at the hands of nineteenth century historians, and somewhat closer to the truth.[97]

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[90] Beitzell, *Cheseldine,* pp. 3, 13.

[91] Beitzell, " Gerard," 198; *Arch. Md.,* XL, 265, 373; Kilty, *Assistant,* 79, 220.

[92] Sparks, *Causes,* 55.

[93] Gerard's third daughter, Susannah, married John Coode and they received Bushwood Manor which became the meeting place for the Party of Resistance. Elizabeth Gerard married Nehemiah Blackiston in 1669 and her dowry included St. Clement's Island, Longworth Point, and Dare's Neck. Mary Gerard married Kenelm Cheseldine in 1677 and they received White Neck, Mattapany (not the site of the revolution), St. Katherine's Island, Westwood Lodge, Broad Neck, and 30,000 lbs. of tobacco. Beitzell, " Gerard," 202, 205; Beitzell, *Cheseldine,* pp. 9-10, 20-23.

Coode was a legal resident of St. Marys City and owned a house and plantation on the Wicomico River in Charles County. One historian has written that Coode's home served as a focus for the discontented of the province to engage in loose and wild talk about the government. He had received training as both a Catholic and an Anglican priest and served as justice of the peace, captain and colonel of the county militia, coroner, and member of the lower house. He also had served as captain of the proprietor's yacht in 1678, but what personal animosities resulted from this are unknown. He was a heavy drinker and had a reputation for swearing, being hot-tempered, and belligerent. Yet, he appears to have been very popular in the province, attracting a considerable following. Finally, a contemporary source reveals that Coode was in constant need of money.[98]

In 1681 Coode was the cause of a fiery controversy concerning the retention of his seat in the lower house while charges of blasphemy were pending against him.[99] In that same year he was fined £100 sterling for attempting to incite a group of men to revolt. During that minor flare-up Coode was confronted by William Calvert and replied to him that

> he cared not a fart for him the said William Calvert Esq^r, whereupon the said William Calvert Esq^r told him there was both the Chancellor and himself his Superior officer next to the Governor, Coode answered Again that he cared not a Turd for the Chancellor Nor the Governor neither. . . .

Coode was not overly awed by authority.[100]

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[94] See earlier.

[95] A Ph. D. thesis on Coode, and highly favorable to him, is in progress at Columbia University.

[96] Matthew P. Andrews, *The Founding of Maryland* (N. Y., 1933), pp. 319-320.

[97] For a typically unfavorable reaction to Coode, see Steiner, "Revolution," 302.

[98] C. M. Andrews, *Period*, II, 348; *Arch. Md.*, XVII, 217; C. M. Andrews, *Period*, II, 378.

[99] See earlier.

[100] *Arch. Md.*, V, 112-116, 330, 332; LI, 243; VIII, 159; VII, 135-138; Sparks, *Causes*, 81-83; M. P. Andrews, *Province and State*, 179.

Coode lost repeatedly in the Provincial Court during the 1670's.[101] For example in 1671, Susannah Coode hired Thomas Lomax to settle her financial affairs in return for £6,900 of tobacco. After he had labored 26 months, the Coodes refused to pay him. In court they were represented by Kenelm Cheseldine and lost the case. In another instance an estate, Bushwood, left undivided to Susannah Coode and Gerard Slye, was the bone of contention. The Coodes felt they had lost £30,000 of tobacco as a result of Slye's refusal to allow the joint inheritance to be partitioned. The Coodes brought suit again, were represented by Cheseldine again, and lost the case again. On other occasions during the '70's they lost cases initiated against them in amounts of £1,769 and £1,500 of tobacco, each time represented by Cheseldine.[102]

Kenelm Cheseldine was one of the most active men in the affairs of the colony. Born in England about 1640, he came to Maryland in 1669. He was well educated, had an excellent library, and was a " practicing attorney." He was sworn in as an attorney in the Provincial Court in 1670, and handled and lost his first case that same year. From 1675 to 1678 he handled 240 clients in the Provincial Court and was party to 23 cases himself. He also handled many important cases in the Court of Chancery. Certainly he was in a position to note and judge whether the judicial system functioned properly. One doubts whether he thought it did.[103]

In 1683 as attorney for Thomas Truman, Cheseldine claimed there were errors in the record of the upper house and in the judgment rendered by the Provincial Court. How? Cheseldine asserted that his client had not been brought in to answer the complaint against him by due process at common law; that the proceedings had been by petition whereas the law required that no freeman be deprived of his goods or chattels except by indictment or process of original writ judged by law; and that judgment was given before an inquiry was first held by jury. Cheseldine therefore contended that the whole case was defective with regard to the requirements of common law. Nevertheless, the upper house acting as Appellate Court upheld their own judgment rendered as Provincial Court.[104]

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[101] The proceedings of the Provincial Court have only been published through 1679, making a study of the 1680's inaccessible.

[102] *Arch. Md.*, LXV, 395-396, 409-410, 418-419; LXVII, 360-361.

[103] Beitzell, *Cheseldine*, pp. 20-21; *Arch. Md.*, LVII, xviii, 569; LXVI, xiii; LI, xiv.

Like Coode, Cheseldine was a resident of St. Marys City. Like many others of his party, he was often at odds with the proprietary government over land. For example, in 1650 Cecilius Calvert granted a Captain John Price 300 acres which Cheseldine claimed after Price passed away. In 1675 Cheseldine was ordered to appear in the Court of Chancery to defend his claim. The outcome of the case is unknown. At any rate, Cheseldine ultimately held some 3,000 acres, out of which he left substantial parts to his heirs at his death in 1708. (However, the bulk of his land seems to have been inherited from Gerard, not gained by grant from the proprietor.) It should also be noted that his will bequeathed numerous books on law.[105]

Before the revolution Cheseldine held numerous offices: county commissioner, county recorder, speaker of the lower house, and justice of the peace. As a member of the lower house from 1676 to 1704 he was extremely active, serving on many committees and as a liaison between the two houses. In 1681 it was Cheseldine who demanded the book of laws from the upper house.[106] Whereas Coode was completely discredited by 1693, Cheseldine continued to prosper after the revolution. For his part in the uprising[107] he was awarded £100,000 of tobacco by the assembly and during the 1690's he held a succession of high-ranking remunerative offices.[108]

The third of the Gerard sons-in-law was Nehemiah Blackiston whose father had been a regicide judge at the trial of Charles I. Coming from Durham, England, Blackiston arrived in St. Marys in 1668 and entered his land rights in 1674 to 300 acres. As an attorney he handled many important cases in the Provincial Court, Court of Chancery, and county courts of St. Marys and Charles Counties. Like Cheseldine then, he was in a fair position to witness any malfunctioning of the judicial process. Like Coode, however, he had a curious propensity to lose considerable sums, often by

[104] *Arch. Md.,* VII, 396, 400, 502-3.

[105] *Arch. Md.,* LI, 176; Beitzell, *Cheseldine,* pp. 20-21.

[106] See earlier.

[107] Mr. Beitzell feels that Cheseldine was the "brains" behind the revolution.

[108] *Arch. Md.,* LI, 337; VIII, 245; V, 462; LXVII, 105; VII, 119; John V. L. McMahon, *An Historical View of the Government of Maryland . . .* (Baltimore, 1831), p. 238; Owings, *Patronage,* pp. 118 ff.

default, in court cases. For example, in two cases in 1675 Blackiston lost £930 and £6,920 of tobacco with Cheseldine as his attorney. In 1677 he lost £1,500, also by default.[109]

From 1682 to 1684 Blackiston served as surveyor and comptroller general. But while serving as Collector of King's Customs for the Potomac and Wicomico Rivers in 1685, Blackiston caused the greatest trouble for the Proprietary Party. In that year he wrote a letter to the commissioners of customs complaining of interference with himself and other Crown officers by the agents of the proprietor—a letter which aroused a furor in the province between the two opposing factions. It narrated the murder of Rousby, excoriating the Proprietary Party for allowing Talbot to go free.[110] Blackiston then proceeded to describe the ways in which he was obstructed in fulfilling his duties.[111] He stated that the agents of the proprietor condemned and disowned his commission, tore and burnt the certificates he issued to masters of ships, dissuaded ship captains from applying for clearance, and perpetrated customs frauds. He added that the council had assumed the power to appoint someone to replace him and he concluded by writing that for not complying he was served with warrants and threatened with punishment, banishment, and harm to his family. This letter formed one basis for the frequent complaint made by the anti-proprietary faction that exiguous allegiance was rendered the king.[112]

There are several other points to be noted with regard to Blackiston. When Coode stirred up the people in 1681 [113] he held a meeting at Blackiston's house for which the latter was fined £50 sterling. Even so, in 1685 anti-Catholic and anti-proprietary meetings were still taking place at his home. In addition, Ebenezer Blackiston, Nehemiah's younger brother, held 200 acres as the tenant of Henry Lowe, one of the most disliked members of the council and a Catholic relative of Lord Baltimore. Finally, it should be pointed out that following the revolution, Blackiston, like Cheseldine, held a series of excellent posts, including chief justice of the Provincial Court, chancellor, and member of the council.[114]

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[109] Christopher Johnston, "Blakiston Family," *Md. Hist. Mag.*, II (Mar., 1907), 54-58; *Arch. Md.*, LX, xlii; LXVI, 240, 360-364; LXVII, 290-291.

[110] See earlier.

[111] For other quarrels between Lord Baltimore and customs officials, see Sparks, *Causes*, 88.

[112] *Arch. Md.*, V, 436-439; XVII, 451.

[113] See earlier.

The fourth and last of the major leaders[115] was Henry Jowles, colonel of the militia of Calvert County and a relative of Cheseldine. Jowles attended the council of war held at St. Marys in 1676 and may have been in league with the revolutionary forces then. He was elected a delegate to the lower house in 1685 and was extremely active there during the stormy session of 1688, acting frequently as liaison between the two houses. In fact, it was the stentorian Jowles who demanded of the upper house in November, 1688, that " the Lower House might have the Journals of the Lower House from time to time. . . ."[116]

Jowles' economic status is difficult to determine. In 1684 he held 400 acres as tenant from one Robert Brown which he (Jowles) sub-let in turn. In 1678 the Provincial Court ordered the sheriff of Calvert County to find Jowles and his wife and lock them up in order to have them in court on November 11 to answer Richard Banke's plea of trespassing. The sheriff complied with the order. In 1682 one Thomas Pue petitioned the council, complaining that he had been employed by the province and should have received £14,000 of tobacco which Jowles had failed to pay him in an official capacity. As a consequence the council ordered the attorney general to put in suit Jowles' bonds until he paid up.[117]

Among the lesser leaders, Ninian Beale was perhaps the most significant. A Presbyterian layman, he rose from a condition of indenture and served as a military subordinate of both Jowles and Coode. It is known that in 1669 he received a 300 acre grant of land and in 1677 was involved in a land dispute over 200 acres.[118] In 1682 he unsuccessfully petitioned the council for the return of a mill that he had lost through legal technicalities. Finally, in 1686, the council ordered that Mary Molloy, a servant to Thomas Beale (a relative of Ninian) have 20 lashes on her bare back as punishment for "lying and scandalous words" spoken against the same "nefarious" Henry Lowe mentioned earlier.[119] It is hardly likely that the Beale family appreciated one of their servants being disabled and kept from her work by the whims of the Proprietary Party.[120]

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[114] *Arch. Md.*, V, 330, 332, 534; "Rent Rolls," *Md. Hist. Mag.*, XX, 185; Owings, *Patronage,* pp. 119, 123, 124, 130, 178.

[115] For the roles each of these men played in the revolution, see Steiner, " Revolution," 281-353.

[116] Sparks, *Causes,* 100; Owings, *Patronage,* p. 118; *Arch. Md.,* VIII, 99, 124, 70-84, 87; McAnear, " Grevances," 405 n.

[117] " Rent Rolls," *Md. Hist. Mag.*, XX, 191; *Archives*, LXVII, 454-455; XVII, 189-190.

[118] This dispute was postponed for over a year because of the incompetence of the proprietor's surveyor.

John Edmundson does not fit the geographical pattern set by the other leaders of the revolution. Yet, he too had cause to desire the fall of the Calvert dynasty. A merchant and large landholder of Talbot County, he was quite active as a delegate to the lower house in 1676 and 1681. As early as 1665 he was in danger of losing a 300 acre claim, and in 1666 he was granted a license to trade with the Indians, with the reservation that 10% of all beaver go to the governor. In 1667 Edmundson was granted 1,000 acres. Six years later, however, Cecilius Calvert sent the sheriff of Talbot County an order requiring Edmundson to appear in the Court of Chancery because "we" found the land had already been granted to another person (unnamed in the writ) who had never made good his right to the land, thus causing it to revert back to "us." Edmundson was required to prove in court why his land should not be seized by the proprietor. Again the problem of escheat pestered the anti-proprietary forces. Finally, one John Richardson petitioned that a 900 acre plot belonging to Edmundson be resurveyed, the petitioner claiming some 150 acres of the plot, curiously called "Richardson's Folly." [121]

Less can be determined regarding the other leaders of the revolution. Humphrey Warren was a prominent planter, attorney, and dealer in indentured servants. He served as commissioner of Charles County in 1667, 1670 and 1681. In 1668, 1669, 1670, 1675-76 and 1685 he was justice of his county.[122] Another, John Turling of St. Marys County, an Anglican priest, was charged in 1681 by the council with uttering mutinous and seditious words. (He told a neighbor that the proprietor had furnished the Indians with shot!) He was arraigned before five council members, four of whom were Catholic, and was required to post bond of 20,000 lbs. of tobacco.[123] Of the two remaining leaders of the revolution,

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[119] See earlier.

[120] M. P. Andrews, *Founding*, p. 328; *Arch. Md.*, XVII, 217; V, 59; LXVII, 234-235, 236; VII, 343; *CSP, 1685-1688*, # 513.

[121] Kilty, *Assistant*, 89; *Arch. Md.*, II, 478; VII, 133; III, 556; LI, 107; Kilty, *Assistant*, 159-160.

[122] *Arch. Md.*, V, 21; XV, 405, 71; XVII, 380.

[123] *Arch. Md.*, XV, 386, 387, 393; Percy G. Skirven, *The First Parishes of the Province of Maryland* (Baltimore, 1923), p. 128.

John Cambell and Richard Clouds, it can only be determined that they were both merchant-planters of St. Marys County.[124]

What else may be said of the leaders of the Party of Resistance and the rebellion? Certainly they were familiar with the danger Lord Baltimore faced—required as he was by the Lords of Trade to defend his charter. The insurgents were opportunists. In 1689 the circumstances were favorable and they seized the moment and acted. There can be no question but that they had long sought the overthrow of the proprietary government. The sporadic attempts at revolt and the constant undertone of discontent should be evidence enough. With good cause did the proprietor state in 1682 that he had received rumors of ill things being said by some " Disaffected Persons." [125]

The discussion thus far has indicated two movements comprising the strength of the Party of Resistance. One should be regarded as a group of men whose personal interests had suffered at the hands of the Proprietary Party and who stood to gain by its overthrow. The second, perhaps more altruistic in motivation and more representative of the people at large, was a group living under the weight of an oppressive, poorly functioning, political system. The two tendencies overlap, and certainly the first group used the second to their own advantage. Edwin Beitzell, a direct descendent of Cheseldine has summed it up well.

> It was a combination of dissatisfied elements which included those who sought profit and power for themselves or sought to maintain their positions of prominence and those who were sincerely suspicious of evil and who had viewed with distrust the restriction of suffrage and the rise of special privilege.[126]

One final question should briefly be raised. What became of the leaders once the revolution was accomplished? [127] They became the socio-political elite of the province. It is not within the scope of this study, but a few examples may suffice. The chancellors after 1690 were Coode, Nehemiah Blackiston, Henry Jowles, and Nathaniel Blackiston. When the church of England was established in 1692, Cheseldine, Blackiston, Clouds, Cambell, and briefly Coode, became vestrymen.[128]

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[124] *Arch. Md.*, LXV, 157; VIII, 116.

[125] Craven, *Colonies*, 412; *Archives*, VII, 314.

[126] Beitzell, *Cheseldine,* p. 22.

[127] See earlier.

[128] Owings, *Patronage*, 119-120; Skirven, *Parishes*, 112-113.

The millenium did not follow the revolution. The Church of England was established and taxes were rapidly levied for its support. Catholic immigration was prohibited and public celebration of the mass was forbidden. On the other hand, the manner of electing and summoning delegates to serve in the legislative assembly was no longer determined by ordinance of the proprietor, but by enactment of the general assembly. New offices could no longer be created without the consent of the lower house; and the legislature, not the governor and council alone, determined the fees of officers. The administration of justice was at last decentralized, and the land office ceased to be a private possession of the proprietor and became a public agency.[129]

4. ESTIMATE

Because the participants have been dead for two centuries and a half, we must resurrect and reconstruct the "causes" in the most second-hand manner. If those same participants could and would permit us an interview, we should be forced to separate carefully the dross from the ore of their contrary opinions. The process might yield the following causes as seen by articulate contemporaries: the unreasonable exercise of the proprietor's veto power; the uncertain status of many laws; the illegal raising of taxes and fines by the proprietor; the excessive exaction of fees by proprietary officers; the corruption of the judicial system; the favoritism received by Roman Catholics through land grants, offices, and special legal protection; the seizure of goods under false pretenses; and the exaction of sterling instead of tobacco for the payment of rents.[130] Factors we have found revealing their personal ambitions and jealousies they would disclose with reluctance. Because the insurgents hushed their less admirable motivations, historians have long found their revolution difficult to explain. A reading of their public utterances and documents suggests the causes they wished the world to accept. But court records and other sources indicate other promptings which we have noted.

One might marshal many more of an increasingly specific character. But rather than recapitulate and summarize and magnify *ad infinitum*, it is more worthwhile to place the issues in their larger perspective by means of a few reflections on the ground just covered. The decades preceding the revolution had been marked by a great increase in settlement. In a certain sense the colony outgrew a government unable to provide for its needs. When a land office appeared, it was controlled for the private gain of the proprietor. That he evinced little understanding of and sympathy for the needs of the colony, he betrayed by increasing financial burdens at the very moment when the provincial economy was hardest hit.

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[129] Fiske, *Old Virginia*, II, 162.

[130] For the fullest possible statement of causes seen through the eyes of contemporaries, the reader is referred to five documents spanning the Restoration generation: *Arch. Md.*, II, 168-9; V, 134-49; XIII, 171-2; VIII, 107-7; and McAnear, "Grevances," 392-409.

It is poor policy to deny flatly requests ardently sought. It is political stupidity to refuse accustomed privileges. Lord Baltimore met changing conditions in Maryland by vetoing laws years after they had become effective, by placing a property qualification on the franchise, and by summoning only half the delegates he had authorized to be elected. That the proprietor was usually guided by the letter of his charter, rather than the spirit of the times, reveals his inflexibility. The Calvert temper was never presented more clearly than in 1682.

> What Priviledges and Powers I have by my Charter are from the King, and that of Calling of Assemblies in such manner and way as I shall think fitt being an undeniable one amongst the rest, I cannot Deem it Honourable Nor safe to Lodge it in the Freemen as you have desired, for it would be as reasonable for me to give away my Power of Calling and Dissolving Assemblies, as to give that of Choosing the Number of Delegates. . . . being resolved never to part with Powers my Charter gives held.[135]

And the Calvert relatives and retainers rarely failed to follow the party line. As the upper house stated, "whatsoever he . . . doth by power of his Pattent must not be styled a Grievance." [132] Thus the upper house was acting in harmony with party tack in 1682 when it voted that no freeman might keep horse or mare who hadn't 50 acres in his county of residence, to which the lower house reacted violently.[133]

The revolution marked the culmination of the growth of the lower house as an institution in seventeenth century Maryland.

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[131] *Arch. Md.*, VII, 355.
[132] *Arch. Md.*, II, 173.
[133] *Arch. Md.*, VII, 272, 302.

It had hammered away at the proprietary authority and had greatly improved its position within the provincial structure. But the gift of power to an individual and its transmission through him to the colonists made the executive, not the legislature, the center around which provincial development chiefly occurred. The proprietor (or his representatives) had enormous importance and power, and because he was the focus of political attention, it was only logical to attack his charter rights, because they confirmed his control of the sources of political authority and privilege.[134]

The charter and political assumptions of the Baltimores were inconsistent with the changes occurring in England, and the Marylanders were conscious of the fact. Most of the insurgents emigrated between 1665 and 1680 and were aware of the contradiction. Yet the conflict was practical as well as theoretical. As Wesley Craven has written:

> Lord Baltimore had no intention of conceding any of the broad and absolute powers stipulated in his charter. That attitude stemmed from no stubborn loyalty to an abstract political theory. His primary interest in Maryland was economic rather than political, but concern for the returns from an overlordship of the land argued that the reins should be tightly held.[135]

Looked at still another way, the revolution was the story of an incendiary minority able to gain acceptance for their work from a passive but acquiescing populace. A small but politically alert faction became spokesman for the discontented masses in order to advance the welfare of both. The supporters of the revolution were planters, lesser freeholders, landless freemen, artisans, and even servants. All desired a greater degree of self-government and saw commercial and political gain through closer ties with England.

The opposing factions have been referred to here as parties. Perhaps "overgrown family-interest-group" would have been more correct, but in either case they were split over vital political and economic issues over a protracted period of time. Moreover, there was a decided consistency in the character of the two parties over half a century and both owed their cohesiveness to the desire for office and its benefits.

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[134] Herbert L. Osgood, "The Proprietary Province as a Form of Colonial Government," *American Historical Review*, III (October, 1897), 32.

[135] Craven, *Colonies*, p. 300.

The events discussed here portray politics in its purest, most theoretical sense. Not only was there disagreement over specific and tangible issues, but assumptions as to the foundations of government were diametrically opposed. As a result, much of the discord revolved about procedural issues. The conflict did not present itself, as today, in elections, but in arguments, for example, over the electoral process itself. Maryland politics ran in a series of waves, reaching high swells in 1659, 1676, 1681, and 1689. But there was always an undercurrent of agitation and opposition. The most obvious focus of this agitation, of course, was the general assembly; and the acrimonious debates that took place there, eloquently expressed, amidst flummeries, the sources of agitation.

The chasm between the Proprietary Party and the Party of Resistance was wide and deep. Unlike modern politics, the party in power could not be defeated at the polls. It was necessary to turn the faction out physically. In 1689, a small, self-seeking, incendiary group fanned the fires of discontent within the province and turned a highly combustible situation to their advantage.

OLD QUAKER BURYING GROUND:

WEST RIVER QUAKER BURIAL GROUND. ANNE ARUNDEL COUNTY, MARYLAND.*

By J. Reaney Kelly

MANY of Maryland's finest heritages have deep roots in Anne Arundel County. One of the proudest of the county's southern area is its founders' part in the planting, in 1656, of a new religious movement, Quakerism. Some of the earliest convincements on the mainland of the new world culminated in 1672 at West River in the first General Meeting for all Friends of the Province. The site of this event, attended by George Fox, the first Quaker, was also the location of the West River Meeting, the parent group of Quakers for the Western Shore. It was laid out before 1671, a gift of Thomas Hooker, Sr., and referred to as "Ye ground already laid out for ye people called Quakers for to meet on and bury their dead." There the West River Quaker Meeting House was built and was in use for many years. Today it is the oldest burial ground in Anne Arundel County and, possibly, the oldest still in use without religious affiliation in the State of Maryland.

In this old meeting and burying ground at the intersection of State Roads 255 and 468, near Galesville, in unmarked graves rest the bones of many of the Quaker founders of the County. It is a lonely sentinel identifying the hallowed site of the beginning of the West River Meeting and of the birth of organized Quakerism in Maryland. Only the lengthening shadows of nearby "Cedar Park," "Sudley" and "Tulip Hill," surviving seventeenth and eighteenth century houses, further remind the present generation of that historic era.

Quaker activity in Anne Arundel County dates closely from the now generally accepted creative moment of the new faith in 1652. On a May morning of that year, at Pendle Hill in the Yorkshire moors, George Fox saw his way clearly: " and there atop the hill I was moved to sound the day of the Lord, and the Lord let me see in what places he had a great people to be gathered." [1] The name, Quaker, was applied to George Fox and his followers by a magistrate in scorn.[2] It was later to become a badge of honor. In 1655 George Fox records, " About this time several Friends went beyond the seas to declare the everlasting Truth of God." [3] Of these, Elizabeth Harris, a dedicated messenger, came to Anne Arundel County (then temporarily called Providence) in 1656, or possibly as early as the fall of 1655.[4] There she found a welcome, although most of the Province was then controlled by an interim, so-called Puritan, government which had repealed Lord Baltimore's " Toleration Act " of 1649 [5] and generally opposed his broad and just founding principles and policies of the Province.[6] Her initial convincements into Quakerism in Anne Arundel County were the first on the mainland of the new world to be made without hindrance and governmental opposition. She labored with complete freedom and cooperation, while her contemporary missionaries, Mary Fisher and Anne Austin, languished in the jails of the Massachusetts Puritan Fathers.[7]

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* The author expresses his grateful thanks and appreciation to his wife for help and encouragement in preparing this manuscript, to Dr. Morris L. Radoff, Archivist and to Frank F. White, Jr., Junior Archivist, Hall of Records, for their helpful comment and criticisms. The subtitle is the official designation of the Burying Ground as recorded in the Articles of Incorporation.

The convincements made by Elizabeth Harris [8] and others [9] who followed her expanded and grew after the Province was restored to Lord Baltimore in 1658.[10] By 1661 there were many settled Quaker Meetings throughout southern Anne Arundel

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[1] John Nickalls, editor, *The Journal of George Fox* (Cambridge, 1952), p. 104. Hereafter referred to as Fox's *Journal.*

[2] *Ibid.*, p. 58.

[3] *Ibid.*, p. 209.

[4] Elbert Russell, *The History of Quakerism* (New York, 1943), p. 39.

[5] *Arch. Md.*, I, 244.

[6] *Ibid.*, I, 341-351.

[7] William Sewell, *A History of the Rise, Increase and Progress of the Christian People Called Quakers* (Philadelphia, 1883), I, 203.

[8] Robert Clarkson of Severn to Elizabeth Harris in London—14 Nov. 1657, Swarthmore Collection, Friends Library, London (hereafter referred to as the Clarkson-Harris Letter).

[9] Josias Coale, Thomas Thurston, Thomas Chapman, George Rolfe, William Robinson, Robert Hodson, John Burnyeat. For a description of their activities, see Kenneth L. Carroll, " Maryland Quakers in the Seventeenth Century," *Md. Hist. Mag.*, XLVII, (December, 1952), 297.

[10] *Arch. Md.*, I, 369.

County and the other counties of both the Eastern and Western Shores of the Chesapeake.[11]

Meetings for the Western Shore included West River and Herring Creek in southern Anne Arundel County and The Cliffs and Patuxent in Calvert County.[12] While both public and private meetings were referred to as early as 1657,[13] the first official record of the West River Meeting, now extant, is dated 1671. It relates that " at a meeting on the land of Thomas Hooker " (Sr.) an Epistle containing the new " Laws and Tenets of Faith," initialled by George Fox, was presented " for the half year meeting of the women of Marieland from the women Friends in the Barbados." [14] At this same meeting it was decided that " Youth Meetings " would thereafter be held as follows:—

> " At West River on ye third second day of every second month."
> " At Herring Creek ye fourth second day of every second month."
> " Ye Cliffs ye second day of every fifth month."
> " At Patuxent ye second second day of every fifth month." [15]

From this early record it is clear that the meetings referred to had already been established and that the West River Meeting met on the land of Thomas Hooker, Sr.[16]

One of the first certificates of survey for land in the West River Hundred was obtained in 1652 by John Brown and John Clark for some 600 acres covering a tract called Brownton.[17] Lord Baltimore, in 1658, issued a patent for this land.[18] The tract was an elongated one which fronted on West River at the present site of Galesville. Two creeks marked a part of its north and south boundaries. Brown's Creek, now Tenthouse, formed a part of the north line and Deep Creek, now Lerch's, lay on the south.[19]

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[11] James Bowden, *History of the Society of Friends in America* (London 1850-1854) I, 347, 362.

[12] West River Meeting Records, Homewood Friends Library, Homewood Meeting House, 3107 North Charles Street, Baltimore, Maryland. Hereafter referred to as West River Meeting Records, Homewood.

[13] Clarkson-Harris Letter.

[14] West River Meeting Records, Homewood.

[15] *Ibid.*

[16] *Ibid.*

[17] Liber A B & H—f. 293 Land Office, Annapolis, Maryland.

[18] Liber Q—f. 278, Land Office.

[19] Liber 1 C #G—f. 366, Land Office.

Thomas Hooker, Sr., acquired Brownton some time after 1658. The exact date cannot be found, nor was the transfer from Brown and Clark to Hooker by a recorded deed. However, the patent to Brown and Clark, endorsed to Hooker, was later displayed to prove good title. By his will in 1684 the entire tract was left to his son, Thomas Hooker, Jr., " except ye ground which is already laid out for ye people called Quakers to meet on and bury their dead and to be wholly at their service forever, it being in quantity one acre and a half according to estimation." [20] It is this small tract of land given by Thomas Hooker, Sr., to " Ye people called Quakers " that is now officially known as West River Quaker Burial Ground and called Old Quaker Burying Ground. It lies at the head of the original Brown's Creek, now called " Tenthouse " after a structure of that nature built adjacent to the burying ground.

Thomas Hooker, Sr., the donor of the land, came to Maryland in 1649.[21] He was convinced into Quakerism by the beloved minister, William Coale, at a meeting at the house of Richard Beard, on South River.[22] Both William Coale and Richard Beard were convinced in 1657.[23] Thomas Hooker accompanied William Coale and other Quakers to Virginia [24] where the latter and George Wilson were held in chains in a prison at Jamestown. George Wilson died there while William Coale never fully recovered his health as the result of this experience.[25] Efforts have been made to connect this Thomas Hooker, Sr., of West River, with the Rev. Thomas Hooker who, with his followers, founded Hartford, Conn., in 1636, without success.[26]

A deed to Thomas Tench from Thomas Hooker, Jr., dated June 6, 1689, recites that the patent to Brown and Clark for 660 acres called Brownton, endorsed to Thomas Hooker, Sr., was exhibited at that time. The deed also had the following provision:—" Excepting as much as was formerly laid out for a meeting house and burying places for Friends commonly called Quakers." [27] Later, in a deed for the same property, dated May

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[20] Wills 4—f. 28, Hall of Records, Annapolis, Maryland.

[21] Early Settlers Book, Land Office.

[22] *A Testimony Concerning . . . William Coale . . .* (London, 1682), pp. 10-12. Original in Friends Library, London.

[23] Clarkson-Harris Letter.

[24] *Testimony to William Coale,* pp. 10-12.

[25] *Ibid.,* p. 4.

[26] Inquiry to the Connecticut Historical Society failed to establish a relationship.

[27] Anne Arundel County Land Records Liber I H #1, f. 312, Hall of Records.

29, 1733, to Joseph Galloway from Nathan Rigbie (who had inherited it from Thomas Tench)[28] the following was reserved:—"Excepting only the lot or parcel of ground given by Thomas Hooker, Sr., to the people called Quakers whereon their meeting house now stands and the lot or parcel of ground whereon the Tenthouse standeth."[29]

The meeting house referred to in this deed was a frame one built before 1697.[30] The Tenthouse, a framework over which a canvas sail was spread, was used at Yearly Meetings for Friends of the Province and was paid for by contributions from the meetings of the Western Shore as well as by generous amounts of tobacco sent to the West River Meeting by Friends on the Eastern Shore. While the Tenthouse was used at Yearly Meetings instead of the frame Meeting House because of its increased size, there were also "tenting fields" nearby where the visiting Quakers could pitch their tents.[31] In 1725 the General Assembly of Maryland passed an act prohibiting the sale of liquor within two miles of the West River Meeting House.[32] The intent of this act is still in effect. This meeting house burned during the latter part of the Civil War.[33]

That there was a meeting place on the land in 1671 is indicated by a minute of the West River Meeting of that year.[34] The exact date and type are not clear. It was at this first meeting house[35] that Lord Baltimore and William Penn attended a Meeting in 1682 after their well-known conference concerning the boundaries of Maryland and Pennsylvania.[36] Following the conference, Lord Baltimore complained that the Quakers had hustled William Penn away so quickly that there was not time to transcribe notes of the conference taken in shorthand.[37] From this meeting William Penn traveled from West River to Pennsylvania by way of the Eastern Shore of Maryland. A General Meeting for all Quakers of Pennsylvania was not established until nine years after the 1672 meeting at West River.[38]

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[28] Wills, 12, 232-233.

[29] Liber I H #1, f. 594 Hall of Records.

[30] Carroll, *loc. cit.*, 308.

[31] Third Haven Monthly Meeting, Minutes I, p. 150.

[32] *Arch. Md.*, XXXV, 428.

[33] An undated letter from Mrs. John Mercer of nearby Cedar Park to her daughter in Philadelphia reports the search of Tulip Hill for southern contraband during the Civil War. She relates that the "Union cavalry tied their horses at the Quaker Meeting House." Mercer Papers, Hall of Records.

[34] Records of the West River Meeting, Homewood.

[35] Enoch Lewis, *Life of William Penn, Friends Library*, (Philadelphia, 1841), V, 171. It is stated that William Penn attended a meeting at Thomas Hooker's house.

[36] *Arch. Md.*, V, 74, 380. The site of the conference was at Colonel Thomas Taillor's on the Severn Ridge Road, now Route #2, a few miles south of South River.

Culmination of the early efforts of Elizabeth Harris, John Burnyeat and other missionaries came in the spring of 1672. John Burnyeat, the great organizer, who came to Maryland first in 1665 and who did much to co-ordinate Quaker affairs, called a General Meeting for all Quakers of the Province at West River.[39] In late April of 1672 George Fox came from the Barbados to West River to open the five-day meeting.[40] It was the first held on the mainland of the new world which was attended by the First Quaker; and it was the beginning of the third oldest Yearly Meeting of Quakers in the world.[41] Thus, organized Quakerism was settled in Maryland. A General Meeting was also held on the Eastern Shore later in the same year and, thereafter, for many years the Yearly Meeting of Maryland Quakers was held alternately at West River and at Third Haven.[42]

By 1666 Quakerism in England had reached a low ebb. George Fox and many of his leaders had been imprisoned. Acting under the guidance of the "inward light" individual Quakers had expressed and practiced the theories of Quakerism according to their own interpretation, which had brought the movement into some disrepute.[43] To save the movement George Fox and his elders realized the need for better organization where the will of the individual must be submissive to the will of the flock. Out of many regional meetings and conferences began "Mens and Womens Monthly Meetings to admonish," where those who did not conform could be disowned.[44] This step completed a solid foundation upon which Quakerism functioned with renewed vigor. Also, from this time, the record and account of Quaker affairs is much more complete.

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[37] Clayton Coleman Hall, *Narratives of Early Maryland, 1633-1684* (New York, 1910), p. 422.

[38] *The 250th Anniversary Celebration of the Founding of the Baltimore Yearly Meeting of Friends 1692-1922* (Westminster, Maryland, 1922). Hereafter referred to as *C C L Book*. Pennsylvania 1681, New York 1695, North Carolina 1698.

[39] *The Truth Exalted in the Writings of that Eminent and Faithful Servant of Christ John Burnyeat* (London, 1691), p. 43. Hereafter referred to as Burnyeat's Journal.

[40] Fox's *Journal*, p. 616.

[41] *C C L Book.*

[42] *Ibid.*

[43] Fox's *Journa*l, p. 289-90.

[44] *Ibid.*, pp. 511-12.

Speaking of the 1672 Quaker meeting and of a similar one at The Cliffs immediately following, George Fox says in his Journal:—" There came some five or six Justices of the Peace, the Speaker of the Assembly, and one of the Council and many considerable people of the world and a glorious meeting we had. After the public meeting there were mens and womens meetings and I opened to Friends the service thereof and all were satisfied." [45] Again, of the 1672 West River Meeting, John Burnyeat records:—" George Fox did wonderfully open the service to Friends and with gladness of heart received advice in such necessary things as were then opened unto them—all were comforted and edified. There were Friends present from all parts of the Province and we had a very large meeting which continued several days in order that men's and women's business for settling things might be established in the Province." [46]

These accounts justify the use of the term " organized Quakerism." While missionary work had gone on since 1656 and many settled meetings were in operation, the 1672 General Meeting at West River was the first to call to all Friends in the Province to meet together and to establish a routine of meetings for worship, business and discipline.[47] This brought about a more unified code of conduct on the part of the Friends and did much to better relations between them and the proprietary. From 1672 to the end of the seventeenth century hardly a family in southern Anne Arundel County was not reached or touched in some way by the activities of the Quakers.

The list of the founders of Anne Arundel County and the seventeenth century Quakers in that area are virtually identical. Of those settling land within a wide radius of the West River Meeting House and Old Quaker Burying Ground, all were either convinced Quakers or in some way connected with the movement. Some Quaker stalwarts were Thomas Hooker, Sr., and Thomas Hooker, Jr., William Richardson, Richard Galloway, 1st, and his sons, Richard Galloway[48] of "Cedar Park," and Samuel Galloway, grandfather of the builder of "Tulip Hill,"[49] Richard Arnold, builder of "Sudley," Benjamin Lawrence, Thomas and Solomon Sparrow, George Skipwith,[50] William Coale, Sr., and William Coale, Jr., Richard Talbott and his son Edward Talbott of "Poplar Knowle" (later "Tulip Hill"), John Larkin, Philip Thomas and others. Those affiliated at West River through the Herring Creek and Cliffs Meetings included Samuel Chew, Christopher and Abraham Birkhead, Richard Harrison,[51] Francis Billingsley, Williams Mears, Richard Johns,[52] Joseph Chew,[53] Samuel Griffith,[54] John Gary, Richard Hall and Peter Sharpe.

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[45] *Ibid.*, p. 616.

[46] Allen C. Thomas, *A History of Friends in America.* (Philadelphia, 1930), p. 80.

[47] Fox's *Journal*, p. 617. Hall—*op. cit.*, p. 393.

In 1833 Anne Pemberton,[55] then of Philadelphia, the owner of the land surrounding Old Quaker Burying Ground, executed a deed conveying the hallowed spot to three trustees, Samuel Snowden, John Cowman and John Chew Thomas[56] and their "heirs and assigns . . . in trust nevertheless for the Society of Friends belonging to the Indian Spring Monthly Meeting[57] in the State of Maryland for a meeting house and burial ground or such other uses as the said Indian Spring Monthly Meeting shall by minute thereof direct and appoint but for no other use, intent or purpose whatsoever."[58] This deed is in full agreement with the original intent of Thomas Hooker, Sr., in whose will we find the words "and to be wholly of their service forever." While it is not known that the trustees named in this deed were at the time active Quakers, their families had previously been identified with the movement. It is doubtful whether the meeting house was in active use by Quakers during the next twenty or thirty years.

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[48] *Pedigrees and Notes* (New York, 1883). Records of the West River Quaker Meeting, Stony Run Meeting House, 5116 North Charles Street, Baltimore, Maryland, notes that he was buried at Quaker Burying Ground.

[49] L. Morris Leisenring, "Tulip Hill, Anne Arundel County," *Md. Hist. Mag.*, XLVII (September, 1952), pp. 188-208.

[50] Lawrence Buckley Thomas, D. D., *The Thomas Book* (New York, 1896), p. 287, states that he was Sir George Skipwith, Bart. Contemporary Quaker genealogists doubt this.

[51] Cf. "Holland's Hills," now "Holly Hill," Anne Arundel County. James W. Foster, "Holly Hill, Early Plantation Home in Anne Arundel County," *Md. Hist. Mag.* XLI (December 1946), 327-329.

[52] Founder of the Johns family in Maryland.

[53] Joseph Besse, *A Collection of the Sufferings of the People Called Quakers from 1650-1689* (London, 1753), II, 378-380.

[54] *Ibid.*

[55] Not to be confused with Anne Galloway Pemberton, only daughter of Joseph Galloway. She was her daughter.

[56] West River Meeting Records, Homewood. Old Record Book, p. 27.

[57] A later Quaker Meeting which temporarily took over some of the affairs of West River Quakers.

[58] Anne Arundel County Land Records, Liber WSG #2, f. 516, Hall of Records.

In 1867 there is another deed among the Land Records of Anne Arundel County from Charles C. Stewart and wife, Hannah, conveying the Burying Ground to a different set of trustees.[59] In this instance the Society of Friends is not mentioned and thus, it is presumed that the official connection with them had ended. The Stewarts owned the land surrounding the Burying Ground in 1867, and it is likely that the deed executed to the trustees in that year was to protect and preserve the hallowed ground.

The trustees in the 1867 deed were Thomas J. Richardson, A. Murray Thomas and T. J. Franklin, who were descendants of Quakers buried there. The stated purpose of the deed was to "confirm the parties hereinafter conveyed as a burial place for themselves and families." Under the deed the trustees were to have and to hold the old burial ground "for the use and benefit as a burial ground for the following named persons and their families and heirs, to wit:—T. J. Franklin, A. M. Thomas, James Cheston, Jr., Mary C. Hall, Nannie C. Hall, Mary T. Hall, James Deale of Jas., J. Franklin Deale, James Cheston, Sr., Franklin Waters, Thomas J. Richardson and such others as the said trustees or their survivors may grant permission to and for no other use or purpose whatsoever." All of the families of those named in this deed had had Quaker connections.

Administration of the property continued through the trustees under the 1867 deed until 1888 when a new group of trustees was appointed by the General Assembly of Maryland to act as a corporation. In a petition to the General Assembly for the passage of such an act the following appears: "Whereas by deed dated the 22nd day of May in the year 1867, and recorded among the Land Records of Anne Arundel County in Liber F. E. G. #3, Folio 110, etc. Charles C. Stewart and Hannah M. H. Stewart, his wife, did convey to Thomas J. Richardson, A. Murray Thomas and Thomas J. Franklin, Trustees, and the survivor or survivors of them, with power to such survivor or survivors to fill any vacancy occurring in their number, a parcel of land in said county, known as the Quaker Burial Ground, and particularly described in said deed by metes and bounds in trust to them and their successors to hold the same for the use and benefit as burying ground for the persons named in said deed and their families and heirs, and such others the said trustees or survivors might grant permission to; and, whereas, experience had shown that it is desirable to have burial grounds subject to the laws, rules and regulations of a corporation in order to secure to the living the continual protection of the remains of their dead; and, whereas, the said Thomas J. Richardson and A. Murray Thomas, two of said trustees, have since died, and C. Morris Cheston and John Thomas Hall have been duly appointed trustees in their place and stead, and the said Thomas J. Franklin, C. Morris Cheston and John Thomas Hall, all residents of Anne Arundel County, aforesaid, have prayed for an act of incorporation for the purposes aforesaid."

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[59] Anne Arundel County Land Records, Office of Clerk of Circuit Court, Annapolis, Liber FEG #3, f. 110.

An act incorporating the trustees of West River Quaker Burial Ground in whose survivors now rests the title, was enacted by the General Assembly of Maryland, February 15, 1888.[60] Since that time its affairs have been administered by succeeding trustees, who have all served without compensation. At present the trustees are Mrs. Eugenia Hall Grey, Mrs. Alma Hartge Strong and Mr. E. Churchill Murray, all of Anne Arundel County. Two of the trustees are directly descended from founders of the West River Quaker Meeting; Mrs. Grey, from Philip Thomas (immigrant) and Mr. Murray, from Richard Galloway, 1st.

Today, while there are virtually no Quakers in Anne Arundel County and the Old Burying Ground has become non-sectarian,[61] it receives the same reverence and attention as it did when it was laid out nearly three hundred years ago. The early Quakers left no stones or markers to identify the graves of their dead. The meeting house has long since disappeared. Now only the archives of history furnish the link between West River Quaker Burial Ground and the Society of Friends. The question comes naturally, therefore, as to what happened to the powerful forces of Quakerism that dominated southern Anne Arundel County throughout the latter portion of the 17th and part of the 18th centuries.

One of the main reasons for this came from within Quakerism itself by edicts of the meetings against the ownership of slaves.

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[60] *Laws of Maryland, 1888*, Chapter 17, "An Act to Incorporate the Trustees of the West River Quaker Burial Ground," approved February 15, 1888.

[61] Persons of other denominations have been buried there since 1785. The oldest grave stone is dated 1812 and marks the grave of Mary Deale.

Almost from the beginning there were rumblings in the various meetings and advices from the leaders against this practice.[62] As the influence of Quakerism to the northward became more powerful the Quaker planters of southern Anne Arundel County in the West River and Herring Creek Meetings were finally forced to face the issue squarely. Tobacco was their means of livelihood and was a medium of exchange in the markets of the Province. Slaves were indispensable in their farming operations; without them they faced economic ruin. When the time came that the meetings decided ownership of slaves was ground for disownment,[63] many of the larger planters of the area withdrew from the Society of Friends rather than face the edict of their elders, while only a few bowed to the sense of the Meetings and manumitted their slaves.

Another reason for the decline of Quakerism sprang from the establishment of the Church of England in 1692. Until then Quakers could practice their faith in freedom of conscience and without government interference. With the church law came a public tax upon men, women and slaves for the support of the church [64] and its clergy regardless of religious affiliation. Quakers, already contributing to their own Meetings, were forced to pay this tax of forty pounds of tobacco per year, per poll.[65] A number of the former Quaker planters embraced the faith of the Established Church. This was particularly true of descendants of the early Quakers, whose families had first been members of the English Church. A further decline in Quakerism occurred when the planters became prosperous and were no longer content to live in the humility and under the discipline of Quakerism.

Finally, during the latter part of the 18th century, the missionaries of John Wesley swept through Anne Arundel and Calvert Counties, making converts and setting up meeting places of their own. Many former Quakers joined the new faith, Methodism. Not had such energy and zeal been displayed as by the Methodist circuit riders, since the coming of the first Quaker messengers to Anne Arundel County in 1656.[66] By 1789 the Calvert Circuit of

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[62] J. Saurin Norris, *The Early Friends in Maryland* (Baltimore, 1862), p. 22.

[63] Kenneth L. Carroll, "Maryland Quakers and Slavery," *Md. Hist. Mag.*, XLV (September 1950), 215-225.

[64] *Arch. Md.*, XIII, 425.

[65] *Ibid.*, p. 429.

[66] "*Journal of William Colbert*," see letter from Jacob S. Payton to the author, July 14, 1956.

Methodism, including southern Anne Arundel and upper Calvert Counties, was the largest in membership in the United States.[67]

The affairs of the West River and Herring Creek Meetings were finally taken over by the Baltimore Yearly Meeting of Friends about 1785.[68] The conditions brought about by the Civil War probably broke the last official link between Old Quaker Burying Ground and the Society of Friends.[69] Although the Meetings moved away from the area to the larger centers of population to the northward and westward where slavery was not an economic factor, most of the former Quakers and families remained. Today, in southern Anne Arundel County, we find reflected the same quiet attributes and qualities of its Quaker founders: fierce independence, strict conservatism and reliance upon the teachings of Almighty God. It is one of the strongholds of early Maryland's charm and tradition.

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[67] History of West River Circuit 1836-1942. Published in connection with the consecration of the Centenary Methodist Church, Shady Side, Maryland, July 26, 1942.

[68] C C L Book, *op. cit.*

[69] Maryland's sympathies were sharply divided. Because of the distance from the Baltimore Yearly Meeting, it was not practical for the Society of Friends to properly care for and superintend the Old Meeting and Burying Ground.

JOHN FERDINAND DALZIEL SMYTH: LOYALIST

By Harold Hancock

THE strains and stresses of war bring out the best and worst in men. Some emerge as heroes and others as villains. John Ferdinand Dalziel Smyth combined both qualities: he performed brave deeds and endured hardships, but he embellished these, and in addition proclaimed himself owner of vast properties, which he never possessed.

Few non-controversial facts are known about his early life and career. According to his own statements, he was born in the highlands of Scotland in 1748, and he emigrated to America in 1763. During the next dozen years he was a storekeeper or physician in North Carolina, Virginia, and Maryland.[1]

The most substantial account of his activities during the American Revolution is presented in his book *A Tour in the United States of America* published in 1784. While the basic narrative is apparently trustworthy, his own role and hardships are greatly exaggerated, and he inserted anecdotes of doubtful authenticity. In the following paragraphs a brief condensation of this portion of his book is presented.[2]

In the fall of 1775, Smyth was living in Charles County, Maryland. After one of his servants died from mistreatment by rebels in Baltimore and his own safety was imperiled, he joined Lord Dunmore at Norfolk. In November, 1775, Dunmore sent him upon a secret expedition to the Ohio Valley and Canada under the command of Lieutenant-Colonel John Connolly. Its purposes included organizing an attack upon Pittsburg and sending reenforcements to Dunmore's forces at Norfolk via the Mississippi River and the Gulf of Mexico.

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[1] Public Record Office, London, Eng. Audit Office 12/6, pp. 89, 90. Henceforth Public Record Office will be abbreviated as PRO, and Audit Office, as AO. The author owns microfilms of the Smyth items in the Public Record Office.

[2] John Ferdinand Dalziel Smyth, *A Tour in the United States of America,* 2 vol. (London, 1784), I, pp. 180 ff.

Unfortunately, the party was captured at "Hagar's Town" and imprisoned at Frederickstown. Smyth wrote that "upon this [occasion] we were actually robbed of our money, by Samuel Chase and the committee, the chairman of which was named John Hanson, and he has since then become a President of the American Congress, who left us only a guinea each. . . ." After a few weeks Smyth escaped and travelled through ice and snow over the Allegheny Mountains, but he was subsequently recaptured and returned to Frederickstown.

Under a heavy guard he was transported to Philadelphia. For three weeks he claimed that he was confined in a fireless cell without a chair, a table, a bed, a blanket, or straw and with little food and water. Then he was transferred to a cell, which he shared with Connolly and another prisoner. Six months of close confinement impaired their health, and a committee of three doctors and two members of Congress was appointed to examine the prisoners. According to Smyth, Thomas McKean, who was one of the congressional members, distinguished himself upon this occasion by abusing in grossest terms the King, Parliament, and the British Army and by threatening them with death if the British executed any American prisoners.

Fear that the British might attack Philadelphia caused Congress in December, 1776, to order the removal of many prisoners to Baltimore. On bleeding feet and in irons, Smyth marched 150 miles. When a servant girl in Newport, Delaware, expressed sympathy for the prisoners, she was beaten by her master and mistress, was thrown out into the cold, and was abused by the guards.

In January, 1777, he bribed his attendants to permit him to escape from confinement in Baltimore. In a small boat he sailed down Chesapeake Bay and up the Nanticoke River. Some Tories concealed him in a woods near Princess Anne. There he found that the loyalists of Somerset County, Maryland, and of Sussex County, Delaware, were ready to stage an insurrection, but believing that they would suffer complete defeat without assistance from British forces, he was instrumental in persuading them to postpone the uprising.

On March 12, 1777, a party of eleven persons, including Thomas Robinson, Boaz Manlove, and Simon Kollock, all three of whom were prominent Delaware loyalists, rowed out of Indian

River inlet in a " canoe " hollowed out of a log, seeking refuge upon a British ship. In spite of a storm, they reached the *Preston,* man of war, safely and were transported to New York.

Smyth is vague about his activities during the next three years. In New York he received a commission as a Captain in the Queen's American Rangers from General Howe. He participated in an expedition against Danbury, Connecticut. During the fall of 1777, he recruited 185 soldiers for the British Army near Philadelphia. By 1780 he had returned to England.

The grant of an annual allowance by loyalist commissioners there in 1780 of £100, which was doubled in 1781, seemed only a just recognition of the services and hardships of a devoted supporter of the British government.[3]

On January 1, 1784, he submitted a memorial to the loyalist commissioners concerning his sufferings and property losses. The narrative was similar to that in his book, though the language was more colorful. By joining His Majesty's service, he had lost an income of £1,500 per year. Following his escape from Hagerstown, he had crossed " over the Alegany [*sic*] mountains, the most difficult and dangerous in America, in the depth of a most rigorous winter, and encountered a series of perils & Hardships not to be exceeded. . . ." For eighteen months he had been imprisoned " IN DUNGEONS, IN IRONS, and subsisted only on BREAD AND WATER." He had been marched from Philadelphia to Baltimore " IN IRONS, and FORCED ON WITH BAYONETS, when his BOOTS WERE FILLED WITH BLOOD, proceeding from blisters on his feet that had broke by marching on hard frozen ground. . . . ." On board the *Preston*, he had assisted in the capture of four vessels, but he had modestly requested no share of the prize money.[4]

In partial compensation for the loss of thousands of acres of land, he had asked the Privy Council in 1783 for the grant of Yametta or Long Island in the Bahamas, but the request had been turned down, since the British government had not completed the purchase of the Bahamas from the original proprietors.[5]

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[3] PRO, AO 12/106, pp. 19, 20.

[4] PRO, AO 12/6, pp. 72-76. A printed copy of the memorial is in PRO, AO 13/62. See J. F. D. Smyth, *The Memorial of John Ferdinand Dalziel Smyth, Esq., Late Commandant of the Royal Hunters, and of the Queen's American Rangers* (London, 1784), pp. 11-16.

[5] PRO, AO 12/6, pp. 75, 76. Smyth tried to secure the assistance of Lord

Eleven pages of his memorial were devoted to property losses. Personal property losses in Virginia, such as slaves, cattle, and a schooner, totaled £5,250, and those in Maryland, £4,042.10. The rebels had confiscated three estates in Charles County, Maryland, valued at £8,400. In addition, Smyth had lost property in several counties in Virginia and in Bute County, North Carolina, worth £6,252. He also presented miscellaneous claims for back pay, for recruiting 185 soldiers at £5.5 per head, and for the losses of horses and equipment. All of his numerous claims totaled £31,582. He placed no estimate of value upon 50,000 to 60,000 acres of land he owned along the Ohio and Mississippi Rivers.[6]

Smyth's assertions concerning his military service were attested to by numerous certificates. Lord Dunmore wrote that he had sent Smyth on a secret mission to the back country. Lieutenant-Colonel Connolly testified to Smyth's participation in a western expedition and to his sufferings during a long captivity, "which he supported with the perseverance and fortitude of a brave and loyal Britain." A lieutenant of the *Preston* certified that the claimant had barely reached the deck of the warship when his canoe sank in a storm and that he had assisted in the capture of four prizes. Generals Clinton and Howe wrote that they had been informed of his captivity and sufferings. Adjutant-General Patterson reported that in the fall of 1777 Captain Smyth had recruited 180 men, "the finest body of men hitherto raised in America." [7]

Less numerous and less impressive were supporting documents about property losses. At Smyth's request in the fall of 1775, Colonels W. Byrd and F. Thornton of Virginia and Joseph Young and Judge Plowman of Maryland had supposedly signed a lengthy inventory of his property in those two states. Five former employees who were in New York in 1780 signed a joint statement that he had lost property "to the value of many thousand pounds." [8]

Sydney and of T. Townshend in this effort. See his letters of March 14, 1783, to Lord Sydney and of February 15, 1783, to T. Townshend in PRO, Foreign Office 4/1, pp. 14-17. Smyth's memorial to the Privy Council was referred to a committee on April 2, 1783, and he gave evidence on May 1, 1783. See PRO, Privy Council 1/61, Pt. 1.

[6] PRO 12/6, pp. 77-88.

[7] Smyth, *Memorial,* pp. 11-16.

[8] *Ibid.,* p. 3. The statement of the Maryland and Virginia officials is in PRO, 13/62, and is dated September 19, 1775. It is in Smyth's handwriting and is

Concerning his character, Peyton Randolph, Speaker of the Virginia Assembly, wrote that he had known Smyth when he had practiced physic near Williamsburg and that " his personal merits and private virtues " entitled him to favorable recommendation. Randolph stated that his late Excellency, Lord Botetourt, had always taken particular notice of the physician who " was one of the best families, and was very nearly related to many of the first nobility in Great Britain." [9]

After reviewing Smyth's memorial, the loyalist commissioners increased his temporary allowance of £200, with the comment:

> This Gentleman distinguished himself very much by his exertions in favour of Government & was no less distinguished by the hardships & sufferings he underwent. His real & personal estate was likewise very great & we think him therefore entitled to an augmentation of £100 per Ann.[10]

This allowance of £300 marked the height of Smyth's success, as the commissioners henceforth became suspicious of his claims and investigated them. A number of persons from North Carolina, Virginia, and Maryland, who were then living in England, testified that he had greatly exaggerated his importance and losses. He was summoned to a series of conferences in May and June, 1784, with disastrous results.

The commissioners had received evidence from Robert Nelson, formerly of Halifax, North Carolina, that Smyth had been brought to that town in 1763 as an indentured storekeeper by Patrick Copeland. He had failed to pay a note for £20 and had been arrested. Nelson had provided bail. During the next few years, Nelson said that Smyth had worked as a storekeeper for John Thompson of Halifax and for William Black of Bute County. He had also been employed as a tutor for the children of Dr. Frederick Schultzier of Halifax. In 1770 he was practicing medicine in Fredericksburg, Virginia. Nelson claimed that " Smyth had always a trick of Shooting with a long bow—[of lying]." [11]

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entitled " Copy of a Valuation or Estimate of Estates and Property in possession of J. F. D. Smyth Esq. of Charles County, Maryland, at the time he left that province and set out for the Mississippi." It is of dubious authenticity, but it was not investigated by the loyalist commissioners.

[9] Smyth, *Memorial,* p. 15. The portion of the printed statement about his being a physician at Williamsburg was written in ink.

[10] PRO, AO 12/106, pp. 9, 10.

[11] PRO, AO 12/6, pp. 123, 124.

Under questioning, Smyth admitted that he had been employed by these persons, though he denied ever having been an indentured storekeeper or having signed a note. He said that Black had hired him as superintendent of his estates and business.[12]

Several witnesses from Maryland provided information about his activities in that colony. Their combined evidence revealed that in 1770 Smyth had boarded with James Mills at Chaptico in St. Mary's County and had practiced medicine. Mills had requested him to leave as a troublesome fellow. His next landlord had sued him for non-payment for board. In 1774 he had rented a plantation from a Mr. Baltripe, who had later sued him for rent. He was fleeing to Virginia with some horses in 1775, when he was overtaken and the horses confiscated.[13]

Robert Buchanan, formerly of Maryland, declared that " Smyth was so notorious a liar that nobody would believe him." John Anderson, who had come to London from Charles County, doubted that Smyth owned any slaves, " was sure he had not a foot of land, and would not have trusted him with a single shilling." Smyth had made much of the value of his horses and of his famous stallion " Smiling Tom "; Anderson pointed out that in 1775 this horse was about twenty-five years old and worth less than thirty guineas.[14]

Uriah Forrest, formerly of St. Mary's County, who had been appointed by the Maryland legislature as one of the commissioners to dispose of loyalist property reported that none had been confiscated from Smyth. Peyton Randolph Grimes believed that the Virginia statesman's signature was authentic, although no members of the Randolph family had ever heard of the good doctor.[15]

Even Smyth's military record was assailed. In May, 1779, he had brought court-martial proceedings against Lieutenant-Colonel John Simcoe upon numerous charges, the most serious of which was the drafting of men out of his company into others. He also had accused Simcoe of refusing him promotions, of releasing soldiers from confinement against his orders, and of lack of cooperation. During the trial most of these charges were repudiated, and Smyth was revealed to be an untrustworthy individual, with a " virulent and maligant temper," who sometimes punched, kicked, or throttled soldiers and domestic servants. Simcoe questioned whether Smyth had ever been properly commissioned as a Captain. Lord Dunmore in 1775 had presented him only with a commission as physician, and it was uncertain whether Lieutenant-Colonel Connolly had appointed him to this rank later in that year. Simcoe claimed that soldiers disliked serving in Smyth's company and that Smyth avoided military service whenever possible. Simcoe believed that the foundations of the accusation were " Malice and Falsehoods." A copy of a portion of these proceedings was added to the records of the loyalist commissioners, including the verdict, which declared Simcoe not guilty and which stated that Smyth's charges were " Malicious, Frivolous, Vexatious, & Groundless." [16]

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[12] *Ibid.*, pp. 104, 105.

[13] *Ibid.*, pp. 121-126. These are the statements of John Anderson and Uriah Forrest. Condensations of the evidence presented by a number of loyalists are in " Information Respect[in]g J. F. D. Smyth " and in " Informations with regard to John Ferdinand Dalziel Smythe [*sic*]; claiming as a Maryland loyalist " in PRO AO 12/62. Information was provided by Robert Nelson, James Parker, Robert Buchanan, Richard Lee, Robert Mundel, and James Ingram.

[14] *Ibid.*

[15] PRO, AO 12/6, pp. 106, 107, 124-126.

Finally, the commissioners questioned Smyth about his property claims. The loyalist voluntarily declared that titles to his estates had been lost during his travels in the first months of the war. He asserted his complete and full ownership of all enumerated properties.[17]

Using the testimony of witnesses, the commissioners wrung from the claimant the reluctant information that the Baltripe property and some of his Virginia estates had been leased. One Virginia property, he said, had been conveyed to him by deed of gift from John Apperson, whose daughter he had expected to marry, but the wedding had not taken place, and when he had left that colony because of a judgment against him, he had again placed Apperson in possession. The commissioners continued to question him concerning his properties, and Smyth asked permission to consider his answers for a few days, a request which was granted.[18]

On June 7, he submitted a revised claim, stating that he had never expected to be compensated fully for his losses. He declared:

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[16] PRO, War Office 71/50. The court martial took place from May 4-8, 1779, on Long Island.
[17] PRO, AO 12/6, pp. 91, 92.
[18] *Ibid.* pp. 108, 109.

> The nature & Extent of the Compensation, which I would expect or solicit, being only such a Quantity of Land as by His Majesty's proclamation I would have been intitled to receive from my rank in the Army in America, and as much as might enable me to settle and cultivate the same with some degree of Emolument to myself and the community; and in consideration of my early Exertions, unexampled Sufferings (to the utter ruin of my Constitution), & Services, in favor of British Government, together with the Loss of profession as well as the other annual Losses herein specified. . . .

In his revised memorial, he waived claims to all property in Maryland, to all in Virginia, except in Mecklenburg County, and to all in North Carolina, except in Bute County, but he persisted in his claims of ownership of thousands of acres in the Ohio Valley and along the Mississippi River. He stated that his annual income had been as follows:

Income from cropping of £1,640, from which £440 should be deducted for expenses	£1,200
Income from medical practice	500
Income from breeding and sale of horses	200
	£1,900

He pleaded with the commissioners to settle his claims speedily because he owed debts of £185 for living expenses in London, besides £160 for the publication of his two-volume work upon America. He and his wife lived upon the plainest diet, drinking only water and "table beer." His health necessitated his keeping a horse, but his only entertainment was an annual visit to the exhibition at the Royal Academy.[19]

Before arriving at a decision, the commissioners reviewed the portion of his book concerning his revolutionary activities. They noted a number of minor geographical inaccuracies, but decided that these might have been due to carelessness. They also questioned Smyth's account of his having been robbed by a committee of safety at Frederickstown, Maryland. Samuel Chase, whom Smyth mentioned as a member of the group, was then in London, and he denied that he had ever been a member of the committee. When the commissioners suggested to Smyth that Chase might be summoned to testify, the outraged loyalist haughtily replied: " In regard to calling on Mr. Chase or any other rebel Testimony on my behalf, I thank God I am not yet humbled so low, nor would I consider life itself as worth such a purchase." [20]

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[19] *Ibid.*, pp. 110-114.

After considering all the evidence, the commissioners pronounced his property claims of £31,582 " fraudulent " and discontinued his annual allowance.[21]

In despair, Smyth wrote to Lord Sydney on August 12, 1784, and asked his assistance in placing him on the half-pay army list. He pointed out:

> I performed every condition several times over;—I took a more early decided part than almost any other person;—I suffered more than any other without exception, and made greater exertions;—I personally, and without even the assistance of a subaltern, raised more *chosen men* than any other officer in his Majesty's dominions and at my own expence, after I was a Captain, and without any emolument, advantage, or even a step in rank;—and I also served in the most active line of duty more than 4 years, being scarcely a week without being engaged in some action, or skirmish, untill my health was totally destroyed, which obliged me to reurn to England for the preservation of life.[22]

Smyth turned to the commissioners on September 6, 1784, and asked them to grant him a temporary allowance until he began to receive the half-pay of a Captain. In reviewing the case, the commissioners commented that the case was " a very singular one." Concerning property claims, he was " an Impostor "; on the other hand, he had been " an active & zealous loyalist upon Principle." They finally declared:

> Having said this & having said that he was a Loyalist (which is all the good we can say of him) it becomes necessary for us to say for our own Justification that we continue to be of Opinion that he has committed gross & wilfull Perjury & that we only recommend the small allowance which we have named upon this Principle that the greatest Criminal ought not to be permitted to starve untill he is brought to public Punishment.

Smyth was granted a temporary allowance of £90 per annum.[23]

On November 21, 1787, Smyth requested a larger allowance. He had migrated to Jamaica to practice medicine in 1785, but within sixteen days after his arrival a hurricane had destroyed his property, and he had decided to return to England. Upon landing he had been arrested by the sheriff of Devonshire and jailed for one year for non-payment of debts. Unfortunately, the condition of his finances had not permitted him to engage in a lawsuit for damages for this unjust imprisonment. About a month ago, he had been arrested for failure to pay a bill of £15 for house rent in 1784, and he would be jailed unless he received financial assistance. His wife and he lived frugally, neither one having tasted wine, spirits, or strong beer for several years. He felt that he had been poorly compensated for his services during the American Revolution, and for recruiting " 300 " men, a larger number than procured by any six captains. He also asserted:

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[20] *Ibid.*, p. 119, and " Informations with regard to John Ferdinand Dalziel Smythe [*sic*] . . ." in PRO, AO 13/62.

[21] PRO, AO 12/101, pp. 72, 73.

[22] PRO, Foreign Office 4/1, p. 170.

[23] PRO, AO 13/62.

> Likewise, upon the peace, it was entirely owing to my representation, that Great Britain retained possession of the grand ports in Canada, of Niagara, Detroit, Michimecanac, &c which she still most judicously holds. . . .

Apparently, no action was taken concerning his petition.[24]

In a memorial presented in 1791, he stated his claims for compensation in even more colorful and vigorous language. He boldly asserted that in 1775 he had been instrumental in saving Upper Canada from rebel attack, for even though he had been made a prisoner *en route,* he had sent ahead a messenger with important dispatches. Previously he had described the Allegheny Mountains as the highest in America, but now he proclaimed them " the most inaccessible and extensive perhaps in the world." After embellishing other portions of his earlier narrative, he concluded:

> Thus, it appears that your memorialist has faithfully, honourably, and, most importantly, served his Majesty, in arms from the year 1774, being always placed in the post of honor; and, besides, that long after he was a captain, with his company full and complete, he raised a light corps of near 200 selected men, cavalry and infantry at his own expence; who fought with distinguished bravery during all the war, and were the flower of the whole British army, yet he received for them no consideration whatsoever, not even in rank; and he ventures to say, that no officer in his Majesty's service, besides himself, *ever did* the like.

What had been his reward? The discontinuation of an allowance of £300 because of the testimony of unknown persons, a procedure which he believed similar to that used in the Spanish Inquisition.[25]

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[24] PRO, AO 13/62.

In a printed presentation of his case in 1807, which included the above memorial and other information, he mentioned that in 1795 and in 1796, he had been a physician in Admiral Christian's fleet in the West Indies and had been shipwrecked upon three occasions. He had been present at the capture of St. Lucia and had suffered from yellow fever in Santo Domingo. In his usual braggart manner, he asserted:

> That he had the happiness of stopping the mortality of that dreadful malady at that time, and after his return to England gave in proposals for the conquest of New Orleans and all Louisiana, to the War Secretary, who entirely approved of it as a measure of the very highest importance, and he was to command the expedition. But in the meantime Buonparte had obtained it from Spain by negociation, and sold it to the Americans, &c &c &c.

In spite of his claims for rewards for his services and for his valuable suggestions, he received no compensation.[26]

The preface of his printed memorial of 1807 consisted of two letters to the Earl of Moira, who had protested against his assumption of the Stuart name. Smyth wrote that he was a descendant of the Duke of Monmouth, illegitimate son of Charles II, and that he was, therefore, entitled to the use of the family name of Stuart. He explained that his father was the son of the Duke of Monmouth and of Lady Henrietta Maria Wentworth by an " illegal " marriage. Lady Wentworth dying six months after the execution of the Duke, his father had been reared by a Colonel Smyth, formerly aide-de-camp to that nobleman in Flanders, who had given him his name and had bequeathed him his fortune. Because of this family background, John Ferdinand Dalziel Smyth had used the Stuart coat of arms for many years, and, more recently, he had added to his name " Stuart." It is doubtful that this explanation satisfied the Earl of Moira.[27]

Smyth published privately in 1808 an epic poem entitled *Destiny and Fortitude: An Historical Poem. In Sixteen Elegies.*

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[25] J. F. D. Smyth, *The Case of Ferdinand Smyth Stuart, With his Memorials to the King, the Lords of the Treasury &ca and Vouchers of his Public Services, Sufferings, &ca in the Cause of his Country, During Thirty-Three Years from Many Persons of the Highest Rank and Character* (London, 1807), pp. 4, 5.

[26] *Ibid.*, p. 35.

[27] *Ibid.*, preface, no pagination.

Being a Detail of the Misfortunes of the Illustratious House of Stuart " by Ferdinand Smyth Stuart, the Nearest Descendant." The only two portraits were of Mary Stuart and of himself, and many of the stanzas related to his own misfortunes during the American Revolution. A portion of Elegy Six entitled " War and Captivity " presents Smyth's interpretation of how the revolt began and of how he suffered imprisonment:

Rebellion now had rear'd her gory head,
  Her ruffian hordes rush forth in rude array,
Of order, law, and government instead,
  The standard of sedition high display.

Britain's degenerate outcasts here unite,
  In this vile principle alone agree,
Revolt and fell confusion to excite,
  Under the guise of sacred liberty.

Germanic slaves, fair freedom's fatal foes,
  Hibernia's outlaws flock to faction's aid;
Sweet peace, and unsuspecting soft repose,
  From lost Columbia for ever strayed.

These hosts of hell, all marshall'd in array,
  Spread dire destructive rapine far around,
Oppression, vilence, and dread dismay,
  And horrid cruelties and crimes abound.

A destin'd victime to vindictive rage,
  Because to freedom a decided friend,
In honour's just support I dar'd engage,
  My injur'd King and Country to defend.

O'erpower'd by ruffian multitudes, and thrown
  In dungeons dark, with massy chains secur'd,
For eighteen months on mouldy bread alone
  And water, thus protracted life endured.

Despoil'd and plunder'd, basely robb'd of all,
  Languid and fainting in a dreary cell,
Nor help nor comfort left within my call;
  No tongue their shocking cruelties can tell.[28]

How these verses were received by the public is unknown, but it is doubtful that they aided either Smyth or the Stuart cause.

Thereafter Smyth-Stuart disappeared from public notice. His struggle of twenty-five years to have the British government pay him compensation for property losses and for military service had availed him nothing. Perhaps a psychologist would find the explanation of his fantastic claims concerning property, bravery, and descent in his family background of illegitimacy and in his lack of security. While he did perform some heroic services during the American Revolution, in most other respects he was conclusively demonstrated to be a liar, with an exaggerated notion of his own importance.

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[28] Ferdinand Smyth Stuart, *Destiny and Fortitude* (London, 1808), pp. 9, 10.

Upon granting Smyth an allowance of £90 per annum in the fall of 1784, the loyalist commissioners closed the case with the statement:

> In the meantime it is not only charitable but just to suppose that every Man is innocent until he is convicted and therefore we conceive that we are perfectly consistent *in this Stage of the Business* in recommending an Allowance adequate to his Military Situation. How long that will continue must Circumstances & the Judgment of those in whose hands we leave it decide, with a perfect Confidence that *they will correct errors into which we may have fallen* and do compleat Justice to Mr. Smyth.

Like the commissioners, we leave to others to correct any errors and to do justice to him.[29]

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[29] PRO, AO 12/101, pp. 72, 73.

SIDELIGHTS

A FORGOTTEN LETTER OF FRANCIS SCOTT KEY

Edited by FRANKLIN R. MULLALY

A recent general survey of the manuscript collection at Independence National Historical Park in Philadelphia conducted by Museum Curator David H. Wallace of the National Park Service revealed the existence of an important letter written by Francis Scott Key. This letter from Key to his mother was written in Georgetown on September 2, 1814, and discusses the British attack on Washington as well as his plans for the historic visit to the British fleet that provided the occasion for his composition of the national anthem.

The records of the Museum at Independence Hall indicate only that the letter was a gift from Alice C. Etting of Philadelphia on November 29, 1873. Further research at the Maryland Historical Society produced more information concerning the background of this letter. It was discovered that Alice C. Etting was Alice Taney Campbell Etting, a granddaughter of Chief Justice R. B. Taney, a brother-in-law of Francis Scott Key.[1]

Her husband Col. Frank M. Etting was a prominent Philadelphia lawyer, soldier and scholar who was active in the establishment of a museum at Independence Hall in preparation for the Centennial Exposition of 1876. Col. Etting was also a grand-nephew of Pvt. Samuel Etting of the Baltimore Fencibles who was wounded in the British attack on Fort McHenry which inspired the national anthem. Some of Samuel Etting's camp equipment used in the battle is to be found in the museum at the Maryland Historical Society.[2]

The text of the letter, which follows, should be of some value to students of the period and of interest to all readers of this *Magazine*:

Geo Town
2 Sep: 1814

My D^{r} Mother—

You have made allowances, I hope, for our confusion & anxiety here, & have therefore excused my not writing sooner. Indeed for two or three days after our disgrace I had neither time or mind to do anything. And since then I have been much engaged. — I had however a promise from

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[1] Bernard C. Steiner, *Life of Roger Brooke Taney* (Baltimore, 1922), p. 44.

[2] Eleanor S. Cohen, *Family of Etting* (Typescript in Maryland Historical Society, Baltimore, 1931), *passim.*

Mr. Munro that he would write to Taney often & soon, so that you might know I was well. — You have since no doubt heard how mercifully we have all been spared here, the Enemy not even entering our Town, which I am sure they would have done, had they not gone off with such unnecessary precipation [*sic*]. — They have today left Alexandria, & I trust we shall see no more of them. — I hope we shall be grateful to God for this deliverance, & remember how much more light our chastisement has been that we expected or deserved. —

I am going in the morning to Balt^e^ to proceed in a flag-vessel to Genl Ross. Old D^r^ Beanes of Marlbro' is taken prisoner by the Enemy, who threaten to carry him off — Some of his friends have urged me to apply for a flag & go & try to procure his release.

I hope to return in about 8 or 10 days, though [it] is uncertain, as I do not know where to find the fleet. — as soon as I get back I hope I shall be able to set out for Fred^k^ —

The Children will be delighted to see their mother. — Give my love to them & to Papa —

God bless you my D^r^ Mother
Ever yr most affec^e^ Son
F. S. Key

EXCERPTS FROM TWO PINKNEY LETTER BOOKS

Edited by Dorothy Brown

" No more difficult, futile task has been assigned to an American diplomat." [1] So one critic assessed the problem confronting the colorful Marylander William Pinkney, American minister to Britain in the tense years 1807-1811. Famed as the first orator of his day and as a thunderous antagonist in Congress and before the Supreme Court, Pinkney scored most significantly perhaps in his persistent and restrained negotiations with British Foreign Secretary George Canning over the hotly contested Orders in Council of November 1807.

Pinkney's Memorial of the Merchants of Baltimore on the British interpretation of the Rule of 1756 and the violation of neutral rights presented to Congress in January, 1806 attracted the attention of Jefferson. Three months later the Republican President appointed Pinkney as joint commissioner with James Monroe in London to treat with the British on impressment and reparations. In October, 1807, after the failure of the abortive treaty signed by Pinkney and Monroe ignoring American views on impressment, Monroe returned to Washington leaving Pinkney alone to restrain Britain.

While the Tory Cabinet of the Duke of Portland listened to the arguments of Pinkney it also faced a public that demanded vigorous action and retaliation against the Napoleonic Berlin Decrees enforced for the first time in the summer of 1807.[2] *Cobbett's Political Register* noted that " our power upon the waves enables us to dictate the terms, upon which the ships of all nations shall navigate. . . . Not a sail should be hoisted, except by stealth, without paying us tribute." [3] With this attitude, Britain could not be expected to be overly sympathetic to the overtures of a minister representing her bumptious former colony.

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[1] J. J. Dolan, " William Pinkney," DAB, XIV, 627.

Some of Pinkney's struggle related in his official correspondence is cited in *American State Papers*, III, including his November 23, 1807 dispatch summarizing cogently the American stand against the Orders in Council. In this public correspondence, he remains restrained, but in his private letters to Secretary of State Madison the natural assertiveness of Pinkney is given full range.

Two Letter Books of William Pinkney covering his correspondence from October 10, 1807 to September 30, 1808 reveal the rising temper and increased frustration of the diplomat. Presented to the Maryland Historical Society in December, 1949 by Mrs. Lawrence R. Carton, the books contain over eighty-one Pinkney letters, the bulk of which are addressed to Madison or Canning. Included are copies of sixteen notes received from Canning. The letters presented below, not contained in the *American State Papers,* are a sampling of Pinkney's difficulties and attitudes during two critical years of Anglo-American relations.

To Mr. Madison

London. Nov. 17, 1807

Sir.

I hasten to transmit to you, by an opportunity which will not allow me to do more, the Supplement (published yesterday & sent to me from Mr. Canning's office last night) to the London Gazette of Saturday last.—

It contains three most important orders of the King in Council, by which the Commerce of the U. S. is asailed in a way hitherto without Example, and all the established principles of public Law are sacrificed to a new, & certainly premature, System of Retaliation & of Force.—

It had been for several Days rumoured that such orders were about to make their appearance, and I had so much Reason to conclude that the Rumour was founded in Truth that I went to Downing Street on the 11th, for the double purpose of obtaining Information, & of endeavouring to prevent a Measure, so unjust in itself, & so obviously unseasonable.— Mr. Canning had, as I knew, been out of Town; and I found that he had not yet returned.—I was of course obliged to converse with Mr. Hammond,[4] to which (although he did not avow the Intention of Government to adopt immediately the System which Report had imputed to it) I thought it advisable to suggest all the leading considerations which appeared to me to forbid the adoption of it at all, but especially at the present Time.—It was my Intention to take an early occasion of conversing with Mr. Canning himself on this interesting Subject, and in the meantime I was not unwilling to hope that what I had said to Mr. Hammond might, if reported to him, as I presumed it would be, produce some Effect.—It appears, however, that the measure had been finally determined upon at the Moment of this conversation; for the orders were signed on the same Day, and, altho not published in the Gazette of Saturday, were announced in it for publication in a Supplement.—Stocks are said to have been depressed by the Knowledge of this Step, altho the arrival of a French Flag of Truce in the Downs (conjectured to be related to overtures of peace through the Mediation of Russia) made them recover.[5]

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[2] Bradford Perkins, " George Canning, Great Britain, and the United States, 1807-1809," *American Historical Review*, LXIII (October, 1957), 2.

[3] Cited *ibid.*

[4] George Hammond, undersecretary at the British Foreign Office, March, 1807-Sept., 1809. *DNB.* VIII, 1125-26.

It is not to be doubted that Mr. Rose,[6] who sailed only a few Days ago for the Chesapeake is instructed to communicate to our Government the Determination of G. B. to issue these orders; but it is nevertheless important that you sh^d^ be apprized as soon as possible that they are actually issued.—I have the Honor to be . . .

Private

To Mr. Madison

London. Dec^r^ 7th, 1807

Dear Sir.

I have the Honor to send herewith enclosed Duplicates of my Dispatches of the 23d & 30th of last month, the originals of which were forwarded by the Othello for N. York.—I enclose also the Russian Declaration against this Country, the first & supplementary British Orders of Council relative to Neutral Trade, and the Report of the Committee of Merchants.—Nothing has taken place here since my last which I could make the Subject of a public-Letter.

Some American vessels have been warned under the Orders of Council, & permitted, after coming in, to proceed on their Voyages, which however must now be full of Danger.—

There is every Probability that Swedes will either willingly or unwillingly, soon unite with Russia in her measures against England.—

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[5] According to the treaty ratified July 9, 1807, subsequent to the Tilsit meeting of Napoleon and Alexander I, Russia would offer mediation between France and Britain. If Britain should reject her overtures, which would include provisions for freedom of the seas, by November 1, 1807, Russia would exert pressure on Denmark, Sweden, Portugal, and Austria to join her in action against Britain. If Sweden refused, Denmark was to be urged to join Russia in war against her. E. M. Lloyd, "The Third Coalition," *The Cambridge Modern History*, ed. A. W. Ward, G. W. Prothero, et al. (New York, 1907), IX, 293.

[6] George H. Rose, special emissary appointed by Canning to attempt to settle Chesapeake problem. Perkins, *op. cit.*, p. 7.

Austria is already said to be a party to them.—The United States alone remain—And as if it was desireable to cast off the Friendship of all the World in this Hour of their greatest Peril, the British Gov^{t} persecutes us with the most injudicious wanton & extravagant aggression that ever was ventured upon by a nation in the arrogance of Prosperity & in the Fullness of unquestioned power.—I lament to say that this wild Measure continues to be more popular than it ought to be.—Most of the opposition with whom I have lately conversed arraign it as foolish rather than as unjust; but in general it is approved.—A portentous Delusion seems to have taken possession of the nation.—It was to have been confidently expected that the affair of Copenhagen[7] w^{d} have alarmed an intelligent & a moral people by the prodigal Waste of National Character which it could not fail to produce, as well by the horrible violence which it offered to every thing like principle & even to the ordinary Maxims of Policy.—It has, however, scarcely excited a Murmur.—It is indeed understood that it will be asailed in parliament by the late Ministry & their adherents, except Tho. Grenville,[8] &, perhaps, Lord Grenville[9]—It is equally understood that this attack will end in nothing.—If Lord Grenville should (as some assert he will, altho, I incline to think erroneously) support the Copenhagen Business, it is believed that it will be the Signal of his Separation from a party with which he never has been cordial, and of an approaching Union with the present Ministers, who are said to desire extremely to bring Lord Grenville and the Marquis Wellesley into Office.—

Since my Letter of the 23rd of last month Mr. Bowdoin[10] (for I have nothing from Genl. Armstrong[11] has put into my Hands a copy of a Letter from the French Minister of Justice to the Procurer General of the Council of Prizes, dated the 18th of September last, with which Genl. Armstrong has doubtless made you acquainted.—I enclose a copy of it.—It is perfectly certain that the British Gov^{t} had no knowledge of this Document when the Orders of Council were issued, and indeed that it has no knowledge of it even now.—They have heard of certain Declarations imputed to the Emperor of France at his Levees (with what Truth I know not) but these could hardly be considered as very certain Indications of what w^{d} be done, far less as constituting a Measure in themselves, against which there could be actual Retaliation through the Rights of Neutrals.—The Situation in which we are now placed by the Violence & Injustice of others is certainly an arduous one; but it will be met by our

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[7] British expedition under Admiral Gambier had seized Danish fleet, September 2-5, 1807 after negotiations for the peaceable transfer to Britain failed. J. Steven Watson, *The Reign of George III, 1760-1815*, Vol. XII of *Oxford History of England*, ed. Sir George Clark (14 vols.; Oxford, 1960), p. 456.

[8] Thomas Grenville, once instrumental in negotiations of Anglo-American treaty ending Revolutionary War, served as First Lord of Admiralty under Lord Grenville's ministry until it fell in 1807. *DNB*, VIII, 575-76.

[9] Lord William Wyndham Grenville, First Lord of Treasury in Ministry of all Talents which fell in 1807. *DNB*, VIII, 577-81.

[10] James Bowdoin, American Minister to Spain, 1805-1808. *DAB*, II, 501-2.

[11] John Armstrong, American Minister to Paris, *DAB*, I, 355-58.

Gov^{t} with all the Temper, Wisdom & Firmness which it so imperiously requires, & by our people with the patriotism which belongs to them.—War between the U. S. & G. B. is not generally expected here. There is a Disposition in many to anticipate some Strong Measure on our part, but not War; and it is taken for granted that G. B. will not seek a War if we sh^{d} stop short of actual Hostility.

The Letters in the Morning Chronicle (from A. B. to the Editor) which I have sent you as they have appeared, are from the Pen of one of the ablest and warmest of our Friends in England.—They are not without great Errors; but they speak with considerable Exactness the Sense of his party, the most favorable of any in this Country to the U. S.

I had the Honor to send by the Othello some parcels of newspapers & pamphlets.—Those which are received by the Legation here from the U. S. arrive very seldom & very late.—

The President's Message was received here yesterday, & has been published in all the Prints of this Morning.

[The following letter is published in Henry Wheaton, *Some Account of the Life, Writings, and Speeches of William Pinckney* (New York, 1826), pp. 75-78. However, Wheaton deleted the first two paragraphs of the original.]

Private

To Mr. Madison

London. Dec. 31, 1807

Dear Sir.

I have the pleasure to send you, at the same Time with this Letter, a packet of Newspapers, a Duplicate of an Exposition lately published here of the orders of council, the 2^{d} part of a flimsy publication on the maritime Rights of G. B., and my public Dispatch of the 29th Instant.

In my Letter of the 23rd of last month (of which a Triplicate is enclosed in the Dispatch above mentioned) there was a slight Error, arising from extreme Haste, in the paragraph which relates to the Construction of the 5th article of the French Decree considered as a municipal Rule.—The Error is corrected in the Triplicate by the ommision of the Words " while without it no office can be assigned to the 7th & 8th "

Accounts from America begin to be regarded here with great Interest, & to be remarked upon in rather an altered Tone.—I confess that I expect them myself with peculiar anxiety although without a particle of Doubt.—The attitude which our Gov^{t} is now to take will fix our Destiny forever; and my Trust is strong & confident that both will be worthy of the high Name of our Country.—

In my public Letters I have ventured to intimate my opinions as to the conduct which the crisis demands from us,—You will excuse me, I am sure, if in a private Letter I speak with more Freedom.—

It will, I sincerely hope, be the solemn Conviction of every Man in America (as it is mine) that it has become impossible, without the entire loss of our Honor & the Sacrifice of every thing which it is our Duty to protect, to submit in the smallest Degree to that extravagant System of maritime Oppression (proceeding more from Jealousy of our rising Greatness than from the Motives actually avowed) by which G. B. every Day exemplifies in various Modes the favorite Doctrine of her infatuated advisors, that Power & rightful Dominion are equivalent Terms.

No Man can deprecate War upon light & frivolous Grounds more than I should do.—But if War arises out of our Resistance to this pernicious career of arrogance & selfishness, which while it threatens our best Interests with Ruin, is even more insulting than it is injurious & more humiliating than it is destructive, can it be doubted that our Course is a just one, or that we shall be able & willing to maintain it as a great & gallant nation ought to do?

I have read (not without Indignation) in American Newspapers & pamphlets, that we are too feeble to assert our Honor against the Power of G. B., or to defend ourselves against her Encroachments.—This Slander is not believed by those who publish it; but if it were true, instead of being unnecessarily false, there are Bounds to Submission, beyond which even the feeble can submit no longer.—Our Gov^{t} has shown a laudable Solicitude for Peace with all the World, and has acted wisely in its Efforts to preserve it—But the Time has arrived when it seems to be certain that we must either yield up all that we prize, of Reputation, of Fortune, & of Power, to the naval Despotism of this Country, or meet it with Spirit & Resolution; if not by War; at least by some act of a strong & decisive character.—

The argument against Resistance to British aggressions, founded upon supposed Danger from France if G. B. sh^{d} be greatly weakened by that Resistance, proves too much, & is otherwise false in Fact & in Reasoning.

Without being blind to the enormous Power and other dangerous Attributes of the French Government, I am persuaded that we have little to fear from France; and that it is practicable (as it is most emphatically our Interest) to be at Peace, without identifying ourselves with her.—It may be admitted, however, that France is a Subject of Apprehension to America as well as to Europe; but are we on that account to suffer with Patience every Wrong which G. Britain, stimulated by the Jealousy of her Merchants, or the Avarice of her Navy, or the Pride of Conscious Power chooses to inflict upon us?—Such a State of abject Slavery to our Fears—such a tame Surrender of our Rights as the Price of British *Protection* against possible & contingent Peril, would be a thousand Times more degrading than if we were now, in the Maturity of our years, to return openly to the Dependence of our colonial Infancy upon the Guardianship of the Parent Country.—If we once listen to this base & pusillanimous suggestion, we have passed under the Yoke, and are no longer a nation of Freemen; we shall not only be despised & trampled upon by all the World, but what is of infinitely more Importance, we shall despise ourselves.—France will justly become our irreconcilable Enemy, and G. B. will only be encouraged & enabled to stab to the Heart the Prosperity which she envies and the Power which she begins to dread.

By a different Course—that which suits with the manly Character & the great Resources of the American People we shall show that we rely on ourselves for Protection—we shall maintain, with the Gallantry & Firmness which have heretofore characterized us, our station among the powers of the Earth—We shall check, while there is yet Time, the Usurpations of G. B. without destroying her salutary strength—we shall diminish our Dependence upon Europe by learning to supply our own wants—and, while we give no Cause of present Hostility to France, we shall increase, by the necessary organization & Development or our means of Defence, our Security from Molestation from that & every other Quarter.

The Picture lately drawn, by some American Politicians, of the Sufferings which a War with G. B. is to bring upon us, is such gross & ridiculous exaggeration, that it can hardly deceive even the thoughtless or the timid.—Great Britain will herself feel the tremendous Effects of such a Contest, and, I venture to prophecy, will soon seek to end it; but her late Orders of Council will injure us in Peace, as much as she can ever hope to injure us by War.—

I will not persue this Subject farther lest I should seem to compose a Speech instead of writing a Letter.—

I have acknowledged, in a P. S. to my letter of the 29th the Receipt of your Letter to Mr. Monroe of the 21st of October.—I had read in the English Newspapers, before Mr. Monroe's Departure, of the Trial & Execution of Radford, & of the Trial of the other three Seamen, but not of their punishment.—I do not know whether Mr. Rose's Instructions will enable him to offer any suitable atonement for this consumation of Berkley's Guilt.[12]—The principle Facts were known before the Statira sailed, and were perhaps suggested by Mr. Monroe to this Govt as calculated to influence the Nature & Extent of the Reparation.—At any Rate it will not now be proper that I shd move in this affair without farther Instructions.—

The opposition in the approaching Session of parliament will be extremely active, particularly in the House of Lords where the late Ministers have more Ability than in the commons.—The Field is ample & the Topics interesting.—The Emigration of the Royal Family of Portugal has caused much idle Exultation here; but the sober Estimate now made of the advantages to G. B. from that Event is not quite so brilliant as the earlier Calculations.—

It is whispered that the late Schism in the cabinet took its Rise in a Wish to bring Ld Grenville into Power.—He could not return while the Catholic Question remained as he left it, & hence an attempt (by Mr. C as it is said) to prevail upon the King to relax upon that Point. The King was inflexible & the affair has dropped.[13]

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[12] Seaman removed from the *Chesapeake* by the *Leopard* by order of Berkeley, then commandant at Halifax, June 22, 1807. Perkins, *op. cit.*, pp. 3-6.

[13] Grenville desired the features of the Irish Act concerning the position of Roman Catholics in the British army to be extended to English and Scottish Catholic elements. J. Steven Watson, *op. cit.*, pp. 440-42.

Mr. Rose (the Envoy) is the author of the Report of the Committee of the House of Commons relative to the W. Indies, which I sent you last Summer!—Mr. Perceval [14] & L^d^ Hawksbury [15] are the reputed Authors of the new blockading plan.—I should suspect Mr. G. Rose (the elder) [16] of a great share in it.—

I do not enclose copies of my private Letters of the 3rd, 7th, 10th & 21st of this Month, as they were principally valuable on account of their Enclosures.—

American vessels continue to come in under warning—and their voyages are consequently broken up.—The French Gov^t^ is said to have issued a new Decree (dated at Milan Nov^r^ 25th) under which the Decree of Nov. 1806 will be executed according to its Letter.—I have not seen this Decree, altho it is in England; but it will probably be published in the Courier of tonight, which I will enclose.—The French Decree of the 13th of Nov. (dated at Fontainbleau) you will see in the papers herewith forwarded.—I beg your pardon this long & hasty Letter.—

[The following letter is published in Rev. William Pinkney, *The Life of William Pinkney* (New York, 1853), pp. 212-16. But, Pinkney deleted six paragraphs of the original and made spelling and punctuation changes throughout the body of the letter without informing the reader.]

Private

To Mr. Madison

London, Sept. 7, 1808

D Sir.

As Mr. Bethune leaves Town in a few Hours, I have only Time to write a short private Letter in addition to my public one of yesterday.

Mr. Atwater [17] delivered your private Letter of the 21 of July & a Duplicate of that of the 15th and I received by Mr. Nicolson on the 24th of last month your private letters of the 3rd and 15th of July.—

I cannot subdue my opinion that the overture on the subject of the orders in Council will be either rejected or evaded.—What Infatuation, if it should be so!—

That the Embargo pinches here is certain. There is undoubtedly Room for alarm on the Score of Provisions (Corn & Flour); and it is confessed that they feel severly the want of our Trade.—The Effect however is less than it ought to have been on account of the numerous Evasions of the Embargo & and Belief (encouraged in America) that we had not Virtue to persist in it. If it be continued it must be rigorously executed, & our vessels in Europe recalled.

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[14] Spencer Perceval, Chancellor of the Exchequer, member of Portland Ministry. *DNB*, XV, 821-27.

[15] Lord Hawkesbury, Foreign Secretary, 1801-4, Home Secretary in Portland Ministry, 1807. J. Steven Watson, *op. cit.*, p. 444.

[16] George Rose, President of the Board of Trade in Portland's Ministry. *DNB*, XVII, 226-30.

[17] Atwater carried dispatches from Madison to Pinkney, July, 1808. *Federal Gazette and Baltimore Daily Advertiser*, July 22, 1808, p. 3.

I send you Marriott's Book entitled " Hints to both parties "—Towards the End you will find a pretty open avowal that even if France sh^d^ retract her Decrees G. B. ought to hold on upon the Substance of her orders, making them only more *palateable* to us in some of their subordinate provisions.—This Gentleman is a W. India merchant & Member of parliament; & was consulted by Ministers when the orders of Nov. were in contemplation.

It is still believed here that the late Events in Spain & Portugal, connected with the British Explanations (already forwarded in my private Letter of the 17th of August & now again transmitted) relative to a direct trade between the U. S. & those Countries will have an irresistable Effect upon our Embargo. They are so misled in this Country as to suppose that the Embargo has already reproduced very formidable Discontent in America, & I am mistaken if the Gov^t^ has not been inclined to calculate upon that Discontent in various ways, & at least *to give it a Trial.* But at any Rate the Spanish & Portuguese Trade will it is imagined be too great a Temptation to be withstood.—I know not what we may think of this Temptation in America, but it will be well to reflect that, if we trade under the British orders & go to War with France (as this Speculation supposes) while the B. orders continue, we not only retreat from the honorable Ground we have taken & admit the Right of G. B. to act at all Times upon her new Sytem, to the utter Extinction of our Commerce, but deliver ourselves up to her mercy in all Respects. What w^d^ be her course in that Event I know not; but is there any Reason to believe it w^d^ be generous or even just?—We should, I incline to think be in Danger of falling into a Dependence upon this country fatal to our character, to our Institutions, to our Navigation, to our Strength and what could we hope to gain?—I profess I am not able to imagine.—

Since the change in Spain & Portugal this nation is not exactly what it was, and it may be presumed that the Gov^t^ partakes of the universal Exaltation.—Their Dreams of future Prosperity are bright and romantic.—A *Chateau en Espagne* has become quite common.—I have heard it suggested (as a Course of *Reasoning* not unusual here among Merchants & others) that South America, whether dependent or independent must be thrown commercially into the arms of G. B., that, encouraged to Exertion & roused to activity by a new order of Things, she will hereafter rival us in all the great agricultural productions of our Country—that under a System friendly to the Development of their Resources, our Southern Neighbours will even surpass us as Cultivators—that G. B. will thus become wholly independent of the U. S. for articles which she has heretofore been obliged to take from them, &, in a great Degree too, for the consumption of her Manufactures—that in other views our Importance will be greatly diminished, if not absolutely annihilated, by this new Competition—that this Result, almost inevitable in any View, is more especially to be counted upon if G. B. compelled by the Policy of our Gov^t^ or following the Impulse of the Jealousy which is imputed to her, sh^d^ foster by her Capital & her Trade to the full Extent of her Capacity, the prosperity of the South, in Contradiction to that of the North—that the change in Spain is *otherwise* likely to enable G. B. to hold towards the U. S. a higher Tone than formerly—that the Spanish Deputies here (I doubt this Fact) & those who are in the new Spanish Interest (this I believe true) begin to talk already of our Louisiana Purchase as unfit to be submitted to—that regenerated Spain will certainly question the validity of the Cession that preceded our purchase & reclaim the Territory alienated by it—that this and other Causes of Disatisfaction (aided by the Sentiment of Gratitude & the Considerations of Interest which bind the Spaniards to G. B.) may be easily fomented into a quarrel with the U. S. of which the Consequences (G. B. being a party also) may be most destructive.

These Rhapsodies (which may, however, be worthy of some attention) show how Enthusiasm & Prejudice can calculate!—Spain, asailed by the whole Power of France, has already Leisure for an American Quarrel, & can even spare Troops to recover a superfluous Territory on the Mississippi! —The inveterate Habits & pursuits of a whole People, in another Hemisphere, are, against the Repulsion of still existing Causes, to pass to opposite Extremes in Consequence of a Revolution in Europe yet in its earliest Infancy & of which the transatlantic Effect (even if in Europe the Revolution were established) w^d be a Problem!—Great Britain, with a vast Encrease of Debt, is to find her account in casting from her our Market for her Manufactures, in rejecting our Commodities essential to her Colonies & convenient to herself, for the purpose of patronizing a Country, on the permanency of whose Connection she cannot rely, many of whose productions come in competition with those of her own colonies, and in which the Passage from the actual state of Things to that which is contemplated must be relucant & slow, & liable to endless Interruptions & Relapses!—

It is forgotten, too, that this interesting Section of the Globe, during all this tedious & doubtful Process, may & must contribute to nourish our growth, while it can scarcely rival us in anything!—It is forgotten that, if it continues to lean upon the Parent State, it is not likely under the Pressure of Colonial Restrictions to flourish to our Prejudice or never to flourish at all, but may serve to strengthen & enrich us; and that, if it becomes independent, after our Example, it will be far more natural that we sh^d benefit & reflect Luster & Power upon each other than that G. B. sh^d find in the South the means of humbling the other Branches of the great Family of the West.

From the Newspapers it w^d seem that France & Austria are on the Eve of War.—Yet I have been told that it is not so. It is I believe certain that France has changed her Tone (from Haughtiness & Menace to Conciliation) towards Austria, since the Discomfitures in Spain.—This is not conclusive Proof, however.—

The Report that Lucien Buonaparte has requested of a British Minister a Passport to go to America is, I understand from a very respectable Quarter, true.

Yrujo [?] is still here—not respected by the members of this Gov^t—

more perhaps because is suspected of disliking the Cause of the Patriots then for any other Reason.—

I send the Ed. Review by this opp'^{y} & a parcel of newspapers including the Morning Chronicle of today.—

The Box of Books for the Department of State did not arrive at Falmouth in Time to go by the S^{t} Michael—but Mr. Fox sent it by the Flora Anderson, which sailed from Falmouth on the 23rd of August for N. York.—

I enclose a Triplicate of my public Letter of the 4th of August, in which (having undertaken to copy it myself) I have not been able to refrain from making a few slight alterations, which, if you see no objection, I wish to be adopted.—They are in Language merely.—The Lines in which they are made will be found indicated by a Pencil mark (a Cross) in the Margin.

The Result of our Elections will now soon be known.—I trust they will be favourable to the measures of our Gov^{t}—I need not say how sincerely & anxiously I wish that, with reference to yourself personally, they may give you all the Honour which Suffrages of our people can bestow.—

REVIEWS OF RECENT BOOKS

The Adams-Jefferson Letters: The Complete Correspondence Between Thomas Jefferson and Abigail and John Adams. Edited by LESTER J. CAPPON. Two volumes paged continuously, vol. I, 1777-1804 (pp. li, 282); vol. II, 1812-1826 (pp. viii, 283-638). Chapel Hill: University of North Carolina Press for the Institute of Early American History and Culture, 1959; $12.50 the set.

A few times we have had presidents who in their years of retirement have appreciated a contemporary successor or predecessor in office, and have been gifted to say so with thoughtful effect. Mr. Hoover has recently done this in his book on Woodrow Wilson. Yet the best approach to reading this magnificent complete collection of the *Adams-Jefferson Letters* is to inquire what other pair of ex-presidents might have conducted (or might yet conduct) a correspondence of similar depth. A long period of affection for each other is part of the magic; another part, to speak in the necessary shorthand, is the mind and spirit of the age.

To assemble all the letters from the three writers—and Abigail Adams's share in the exchange of letters cannot be called minor, for it illuminates as well as adds to the rest—proved to be an exacting job. Fortunately we can dismiss the natural suspicion that the present edition, coming out at the very time when the multi-volume collections of the Jefferson papers and the Adams papers are in process of appearing, might be unnecessary now. Here in two short volumes is a window into the heart of the young republic, something that no other access is likely ever to displace. Among the many excellences of Dr. Cappon's editing is his selection from the letters themselves of gem-like phrases to serve as chapter headings. To choose one from each writer: "As We are poor We ought to be Œconomists," John Adams; "Faithfull are the Wounds of a Friend," Abigail Adams; "I suppose beliefs to be the assent of the mind to an intelligible proposition," Thomas Jefferson. Especially the later letters are punctuated with sentences which gather, and illuminate, previous thought.

Here and there a stiffness appears, as in Mrs. Adam's letters of 1804 when the severance between the two men had occurred, and between themselves during the preliminaries of their reconciliation eight years later. When the traffic was easy, a charming persiflage, or an equally charming concern for each other's domestic affairs, between Mrs. Adams and Mr. Jefferson sometimes set the pace. Yet from early to late, from the consulting letters Adams and Jefferson wrote when they were fellow diplomats during the 1780's to the period of their most philosophical and scholarly correspondence three decades later, there is nowhere more than a moment's break—at any time when they were corresponding at all—from an entirely serious tone. These were two men and a woman to whom the American union meant much of their lives and their hopes. Yet it did not mean all: they were nationalists, but not ultimately that. They had goals and standards of life, and ethics and a sense of history, according to which all else achieved or failed of meaning. Their letters suggest over and over that the hopes they cherished for mankind were what meant most, and what supplied the root of their attachment.

The letters here gathered in series of course do not eliminate a reader's sense of the differences between the two statesmen. When, during the 1780's, their business was to negotiate treaties of commerce, Jefferson found occasion to voice his hope for ultimate free trade, and Adams argued and reargued that each new American state must pass its own navigation act. Yet their minds met essentially and easily about what they needed at the moment to insist on together. Later in the retrospective years, when they chose to discuss religion, Adams, though he was deeply read in theology and may fairly be called a latter-day Puritan, quite equalled Jefferson in taking an anti-clerical position and an anti-traditional one about Christianity. Though one does not learn here that Jefferson trusted the people less than is usually said, or that Adams trusted them more, their long letters about the value of a natural aristocracy in the body politic shows much more agreement as to social philosophy than is often allowed.

For citizens who now, a century and a half after these noble presidents were corresponding at philosophical prime, think that such matters are still important, these two volumes will long serve as a rich and a precious mine.

Charles A. Barker

The Johns Hopkins University

The Papers of Benjamin Franklin. Edited by Leonard W. Labaree. Associate Editor, Whitfield J. Bell, Jr. Assistant editors, Helen C. Boatfield and Helene H. Fineman. New Haven: Yale University Press. Volume I (6 January 1706–31 December 1734), 1959, lxxxviii, 400. $7.50. Volume II (1 January 1735–31 December 1744), 1960, xxvi, 471. $10.00.

" Read much, but not many Books," counseled Benjamin " Poor Richard " Franklin one February day in 1738. The advice should give pause to anyone aware of the fact that this stupendous publishing project—jointly sponsored by Yale, the American Philosophical Society, and *Life*—will run to forty volumes. But the following October " Poor Richard " also counseled, " Reading makes the full Man." So take your choice, serene in the knowledge that, if you are a serious student of history, you may look forward to a series virtually guaranteed to cover every significant aspect of American life for almost the whole of Franklin's career (1706-1790). If you are just the general reader fond of good literature, you face a glittering variety of topics to dip into for anywhere from five minutes to two hours.

Here is Franklin the religious disputater, the postmaster, the inventor. Here is Franklin the humanitarian, refusing to take out a patent on his internationally successful Pennsylvania Fireplace (II, 419). Here is Franklin the author of dialect humor, as early as 1744 (II, 499). Or Franklin the "typical American" in, say, his satirizing of preachers and lawyers, Philadelphia or otherwise, and in his earnest endeavor to establish a coat of arms. Or editor Franklin as Miss Lonelyhearts (I, 270):

> I am Courting a Girl I have had but little Acquaintance with; how shall I come to a Knowledge of her Fawlts? and whether she has the Virtues I imagine she has?
>
> *Answ.* Commend her among her Female Acquaintance.

Franklin as journalist constitutes a book in itself. Did his *The Drinker's Dictionary* (1736) suggest *The Devil's Dictionary* (1911) to Ambrose Bierce? Certainly his assaults on the question of the demise of himself and/or his competitor, Titan Leeds, in the droll prefaces to *Poor Richard's Almanack*, look forward to the episode of Mark Twain's "death." At the other end of the emotional scale his obituary in the *Pennsylvania Gazette* (1736) on his son, Francis, anticipates William Allen White's in the *Emporia Gazette* (1921) on his daughter Mary, with this noteworthy difference: where White was merely interested in eulogizing a beloved child, Franklin was interested in assuring the public that this mortality had *not* resulted from inoculation, a health measure he was advocating.

In comparison with its distinguished predecessor, the *New York Times*' and Princeton University's *The Papers of Thomas Jefferson*, the Franklin undertaking would seem, on the witness of these first two volumes, to present more points of advantage than disadvantage. The disadvantages, which are not so much deficiencies as areas of editorial divergence, are mainly two-fold: in the Franklin, annotation is less extensive (and comes at the bottom of each page rather than at the end of the document); foreign-language quotations remain in the original without translation. The advantages are several: the Franklin volumes are easier to handle than the Jefferson, being a half inch shorter either way; they offer extensive family genealogies and charts; and—here is a clear gain—each carries a detailed index.

In these volumes also (the first boasts two full-color illustrations) we find Franklin the poetaster. As a composer of verse, which he became at age twelve, he exhibits a facile and tireless muse that hovers somewhere between the flights of Edgar Guest and J. Gordon Coogler. As a prose writer he is in several ways masterful. "You must abridge their Performances to understand them," he assured his *Gazette* readers of lawyers' briefs, "and when you find how little there is in a Writing of vast Bulk, you will be as much surpriz'd as a Stranger at the opening of a *Pumpkin*." There will be a vast bulk to *The Papers of Benjamin Franklin*, but upon opening no squishiness will appear—only solid meat.

Curtis Carroll Davis

Baltimore, Md.

Benjamin Franklin and Polly Baker: The History of a Literary Deception. By Max Hall. Chapel Hill: The University of North Carolina Press, 1960. (Published for the Institute of Early American History and Culture at Williamsburg). xi, 193. $5.

Readers of *The Maryland Gazette* for August 11, 1747, were edified (or something) by an account of the problems of Miss Polly Baker. Mr. Green the printer had given his front page to her famous " courtroom speech " which already, only four months after its first appearance in the London *General Advertiser*, had spread from one newspaper to another like an AP dispatch on leased wire.

Miss Baker was appearing in court for the fifth time. On the other occasions she had been twice fined and twice sentenced to public whipping. Her offense (always the same) was bearing a bastard child—and Miss Baker thought the punishment out of all proportion to the crime. In fact, she said in eloquent conclusion, she ought to have a statue instead of any punishment at all; didn't her country need new people to fill it? (Polly was a New Englander, but *crescite et multiplicamini* was basic in all the colonies.) She had maintained her children by her own hard work, she said, not letting them become a charge upon the community; and, anyway, whose fault was it that they had been born outside wedlock? Not hers. She cited the manifest advantages of respectable matrimony.

And the happy ending was that next day, after her exoneration, one of the judges married her.

A likely story? Well, no; but possible. Even the fifteen lawfully subsequent children with whom some newspaper versions credited her were possible. But this whole book of Mr. Hall's is an exposition of his " hobby," which is proving to everybody's satisfaction that Polly Baker was not the mother of anyone but the brainchild of Benjamin Franklin, a newspaperman who liked to fill up space in an amusing and arresting way, delivering himself incidentally of some of the things he would have liked to say in his own character.

Miss Lillian de la Torre has set a high standard in the writing of historical detective-stories and Mr. Hall is far from up to it. But he is very good indeed. His book will be of interest to everyone who has ever been tempted to go up a nice little side-path—and that means everyone who has ever done research.

Ellen Hart Smith

Owensboro, Ky.

Braddock's Defeat: The Journal of Captain Cholmley's Batman, The Journal of a British Officer, Halkett's Orderly Book. Edited from the Original Manuscripts, with an Introduction and Notes. By CHARLES HAMILTON. Norman: University of Oklahoma Press, 1959. xxi, 134. $3.95.

Acquisition by Mr. Charles Hamilton, dealer in manuscripts, of two hitherto unknown accounts of the Braddock Expedition are the occasion for this publication. Also published for the first time is Halkett's Orderly Book, from the Library of Congress, although this has long been known to scholars and it parallels the so-called Braddock Orderly Book, published in 1880. The editor makes the point that the first two are the best first-hand accounts of the battle, since others published in Sargent's *History of Braddock's Expedition* (1855) are either written after the event (Orme's Journal) or the writer was not present at the engagement. In fact, however, all accounts are devoted more to the campaign than to the actual battle or defeat, which of necessity must always be *post facto.* There is little added that can be called significant, and indeed it would require many more eyewitness records (if indeed they could be had), to establish the truth of what actually happened. Thus, what we have are some intimate details of that classic action. It is valuable to have these published in attractive form, carefully transcribed and annotated.

The actual editing of such historical documents, however, raises questions of policy and the extent of annotation. There is limited footnoting of the first two journals, save for the comparison of the lists of killed and wounded in the officer's journal with other lists. Since Halkett's Orderly Book duplicates much of the Braddock Orderly Book, the editing should properly note all variations. Yet while the editor diligently notices variants in the spelling of the parole word, he often fails to note where the Braddock Orderly Book is fuller or different from Halkett's. (e. g. from April 21 to 28 the former refers to camps at Frederick, whereas Halkett's was at Alexandria). A parallel publication of these two would have been of greater service.

Students of the American Indian may wince at the illustrations, nineteenth century cuts which smack of the dime novel (pp. 43, 89, 106 and 122), and the tepees and headdress of the Indians of the Great Plains (pp. 21, 64, 80). The explanation of "scalping and Mowhawking" (p. 50) as referring to the savagery of the Mohawks is a misreading, where the sense obviously is "tomahawking." A footnote might also have clarified the orderly book (p. 99): "Two Serjts Two Corpls: & 48 Men to Mount Guard Directly," where the Braddock Orderly Book indicates that the 48th Regiment was to take over the guard duty.

There is a good index, providing reference to many names, for which readers will be grateful.

MILTON W. HAMILTON

New York State Division of
Archives and History
Albany, N. Y.

George Washington and the French Revolution. By LOUIS MARTIN SEARS. Detroit: Wayne State University Press, 1960. x, 378. $7.

The French Revolution was exquisitely embarrassing to George Washington, as to all the other gentlemen who had believed in liberty enough to fight for her but not quite enough to countenance the crimes being currently committed in her name. Over in France, the people's bid for freedom was definitely out of hand. In America, thought and opinion about it were as disorganized. There was a certain small element that believed, cynically, that the end justified the means and that an omelette cannot be made without breaking eggs. There was another small element that was strictly horrified. But most Americans were ambivalent.

George Washington of all people was in the best position to judge the merits of the case. To him in his official capacity, and in his private capacity as the friend of Lafayette and other significantly placed Frenchmen, came constant reports. He evaluated them carefully. It was important not to be emotionalized, to look at the French upheaval in the light of what must be the United States' foreign policy. "From the beginning of the Revolution," says Doctor Sears, ". . . he had been intelligent, sympathetic, loyal and consistent in his attitude toward the French, little as some of them appreciated it." Obviously nothing short of all-out identification would have pleased some of his French detractors, but even they must have had a sneaking admiration for the way Washington stood like a rock, impassive and dignified as always.

He was not at any time prone to write letters which he had to ask the recipients to burn; when he did it was a revealing one. Doctor Sears disappoints this reader by not including a long and thoughtful discussion of the French Revolution which Washington sent to Light-Horse Harry Lee on May 6, 1793. Lee, an unadjusted veteran of the American Revolution who, after his young wife's death, had consulted Washington about the wisdom of going to France to fight, was one of the few human beings who got under Washington's guard; writing to him his sentiments were not "genuine, but cautious," as Doctor Sears describes them in another connection. This is only one letter, however, and the other ninety and nine are certainly in the fold. Doctor Sears' research has been extensive and intelligent, his organization admirable—he should not apologize for his chronological approach—and his judgments sound. He is particularly good in his account of "the much inflated Citizen Genêt," whose pretensions tested our new diplomats and statesmen so severely.

In addition to his scholarly and interestingly written text, Doctor Sears has supplied excellent notes, a good index, and a Biographical Appendix which, for readers who are comfortable and hate to get up and down, is a great convenience.

ELLEN HART SMITH

Owensboro, Ky.

My Odyssey: Experiences of a Young Refugee from Two Revolutions, By A Creole of Saint Domingue. Translated and edited by ALTHEA DE PUECH PARHAM. Introduction by SELDEN RODMAN. Baton Rouge: Louisiana State University Press, 1959. xxvi, 205. $4.95.

My Odyssey is the journal kept by a young refugee from the French Revolution and the revolt in Saint Domingue (Haiti) between 1791 and 1804. The journal appears to have been kept by a male member of Mrs. Parham's family, but she does not tell us his name, nor any additional biographical details about him. He was, however, born in Haiti and had been sent to school in France. At the time he commenced his journal, the author was about sixteen years of age. The outbreak of the French Revolution forced him to return to his home in Haiti. He arrived in time to witness the outbreak of the Haitian Revolt. He fled from his native land, came to the United States, and travelled extensively in this country for several years. He was finally able to return to his home. His journal contains an account of all these experiences together with his observations on the United States during the 1790's.

Prior to the publication of this journal, no eye-witness reports had existed about the early days of the revolt in Haiti by a participant. There had been, on the other hand, many accounts of the arrival of these unfortunate refugees in Baltimore in 1793. The account by " A Creole," consequently, is a major one and becomes an important source of information about the revolt and the experiences of those who suffered because of it.

The journalist has kept his chronicle well. He has, however, interspersed his diary with a great deal of poetry and frequent digressions. In spite of all of these, he has proven himself an able author. One may suspect, however, that the journal was written later than the actual events. Because the participant suffered so heavily because of the Revolution, he may be accused, and rightly so, of having distorted views about the events he has described. In addition, he can be charged with not being objective in his account. The reader will, therefore, have to exercise great caution when he uses this volume as a source.

Mr. Rodman has written an excellent introduction which contains a brief description of contemporary events in Haiti during the years of the revolt. This introduction places the journal in its proper historical perspective. The editor's translation of the work from its original French reads smoothly. However, the book has none of the other earmarks of a piece of scholarly writing. There is no index, nor are persons and places identified. Nevertheless, the journalist has told his story well. His account is a fascinating one which makes for enjoyable reading. His valuable comments upon American life and customs in the 1790's by a foreigner cause the book to become an important source for the social history of the United States during the 1790's.

FRANK F. WHITE, JR.

Maryland Hall of Records

The Maryland Postal History Catalog: Postal Markings of Maryland, 1766-1855. Edited by ROGER T. POWERS. Published by the Associated Stamp Clubs of the Chesapeake Area. Baltimore, 1960. iv, 100. $5.

This elaborately illustrated book presents the first authoritative account of much of the early postal history of Maryland, including the names and dates of operation of all the early Maryland post offices existing after the adoption of the Constitution.

Although it is generally known that postage stamps are widely collected, few realize the existence of an active and growing group of collectors seeking to procure letters sent through the mail before the use of postage stamps; these letters (" covers " is the technical term), through postmarks and supplementary markings, are representative of early postal history. The period for such letters extends from Colonial times to the end of 1855, at which time stamps were officially required on all domestic correspondence.

The book was compiled and edited under the direction of a working committee selected by a large regional group of stamp clubs. Even a brief glance at the publication suggests that it is entitled to top ranking in comparison with previous publications of similar type on the postal markings of other states.

The section on postal markings is based on actual items owned by various collectors. The beautiful illustrations show in exact size each of the 260 known types of stamped postmarks from all of the 100 Maryland towns presently known to have used postmarks at some time during the 1766-1855 period. There are also illustrations in exact size of more than 300 different supplementary markings (" Paid," " Free," " Steamboat," etc.), 28 railroad markings, and 12 carrier and private post markings. These combined markings represent a complete picturization and description of all privately owned items known to the catalogers when this publication was sent to press. In each case the present comparative rarity and estimated range of retail value for each type of postmark are given, and some readers may be surprised to learn that the current estimated retail values of some of the Maryland items, particularly those with a national market, run to a hundred dollars or more.

This book also makes an outstanding contribution to Maryland history by the inclusion of a first-time listing (compiled by Dr. P. Edward Kaltenbach of Loyola College after many years of research in postal archives) of the names and period of operation of each office in Maryland from the adoption of the Constitution to December 31, 1855. Many of the more than 600 Maryland offices of this period had such a short or such an in-and-out history that more than 150 footnotes are required to insure proper coverage. Examples of the many intriguing names of early post offices listed are Allens Fresh, Battle Swamp, Beantown, Horse Head, Nine Bridges, Pig Point, Promised Land, Section Eight, and Tobacco Stick.

Also included are a chapter showing the changes in postal rates during the period covered and reprints of two interesting articles by Michael Miller, " Maryland Colonial Post " and " Ye Olde Post Road "; the latter article includes the names of towns on the main route from Georgia through Maryland to the District of Maine, with the location of each town and the distance from each town to the next.

The very few errors in the book, mostly purely mechanical, are too unimportant to deserve mention outside of specialist circles.

Baltimore, Maryland H. Findlay French

The Historian's Handbook: A Key to the Study and Writing of History. By Wood Gray and others. Boston: Houghton, Mifflin Company, 1959. vi, 58. $1.

The Historian's Handbook is a small guide for the student who is being trained in the mysteries of historical methodology. The authors have endeavored to introduce their readers to the nature of history, the selection of a topic for research, how to pursue evidence, and finally how to prepare the scholarly paper. With such ambitious objectives, one wonders how the authors could cover all these topics in just a few pages, but they do succeed in doing just that. The book is, as the result, jam-packed with useful information.

This book has many admirable qualities which should recommend its use by schools and colleges. It is also of value to the person who wishes to undertake historical research and to write papers on historical subjects. However, the readers of this magazine will find it of little value. There are no books about Maryland listed in his source materials. One has to bear in mind the purposes for which the book was written and then to use it accordingly. Nevertheless, this is only petty criticism and is not meant to detract from the general excellence of the work. It is good to know that a small volume such as this can be secured. It will find a place as a general reference volume.

Maryland Hall of Records Frank F. White, Jr.

The Piscataway Indians of Southern Maryland. By Alice L. I. Ferguson and Henry G. Ferguson. Accokeek, Maryland: The Accokeek Foundation, 1960. 46. $1.

Again the Ferguson Foundation has published another much needed book about the Piscataway Indians. With the current interest in archaeology, perhaps owing to the finding of the Dead Sea Scrolls and Carbon 14 dating, people are turning to their own area to locate archaeological and historical material. This book greatly helps those who are interested in Indians and history of this part of Maryland.

The illustrations, maps and photographs show material that has been located and found in Maryland.

The Piscataway history is carried on from the time of the first contact with Europeans to the final disappearance of the tribe, with particular attention to their relation to the early settlers and other tribes.

A more detailed and technical paper on the prehistory of the area is eagerly awaited.

Baltimore, Md. Frederic Matthew Stiner

NOTES AND QUERIES

COVER PICTURE

This is one of several views made by Latrobe of the upper Chesapeake area. In 1803 he had been appointed a commissioner of the Chesapeake and Delaware Canal Company by Governor Thomas McKean of Pennsylvania. First asked to make a survey for the Canal, he was soon appointed chief engineer, with full control of design and construction. Frenchtown was selected as the western terminus of the Canal but work was slowed by lack of funds and altogether ceased in 1805. The view, measuring 4 by 8 inches, is one of more than 300 watercolors and drawings of B. H. Latrobe recently acquired by the Society together with many of his journals and letterbooks.

Historic Annapolis, Inc. has announced the appointment of Mr. Lloyd A. Brown, well known historian and writer, to the position of Director of Research provided for under the terms of the Grant of $54,000.00 from the Old Dominion Foundation made to H. A. Inc. for the purpose of developing plans and supporting research for a proposed restoration of the historic waterfront of the Maryland Capital City. Mr. Brown, formerly Librarian of the Peabody Institute, assumed his duties on November 1st.

Darcy—Has anyone ever investigated the possibility that the ancestral Maryland home of the Dorseys, "Hockley-in-the-Hole," might be named for that particular section of London bearing the same name and mentioned in Boswell's *Life of Johnson* and Dickens' *Oliver Twist*"? If the Dorsey home had been named for this part of London, might this not be a clue to the origin of Edward Darcy, the boatwright?

MARIE EVELYN BIERAU
8417 Flower Ave.-Apt. 3; Takoma Park 12, Md.

American Association for State and Local History—Clement M. Silvestro, director of the American Association for State and Local History, Madison, Wisconsin, has announced that the Association will award $1,000 each year to the author of the unpublished manuscript in local history that makes the most distinguished contribution to United States or Canadian historiography. The first award will be made in the spring of 1961. In addition to the $1,000 prize, the Association has established a grant-in-aid program for significant *research* projects in local history. Both programs will be administered by the new Research and Publication Committee of the Association.

Clifford L. Lord, professor of history and dean of the school of general studies at Columbia University, is chairman of the Research and Publication Committee.

1st Armored Division—The units of the 1st Armored Division, Combat Command " A," Fort Hood, Texas, are endeavoring to reconstruct their unit museums and trophy rooms. Due to the dismantling of such rooms at the time of World War II, the packing and putting into storage of the unit possessions at that time, and the subsequent reorganization of the units after World War II, it is believed that not all trophies, historical items, and other materials of collector value which may be available have been found or recovered.

Since such items are of great value to the *esprit-de-corps* of a unit, inculcate in the soldier a love for and belief in his unit, we greatly desire to augment our mementoes of this type. Undoubtedly, in dens, attics, footlockers, trunks, bookcases, etc., there are historical items, interesting mementoes, actual trophies, etc., either directly or indirectly concerned with the history, activities, operations, or periods of history of the units of the 1st Armored Division. Photographs, diaries or journals of the units, and plaques are valued.

We would greatly appreciate any outright donations, for suitable display, appropriately labelled, in our unit trophy rooms. Since we have no funds for such additions, it would be magnanimous of individuals to send us such items at their expense in the interest of the active army. They would be treasured by the units so honored and would serve to link our present-day soldiers with their predecessors.

The following units are mainly involved:

6th Infantry	Activated 11 Jan. 1812
1st Calvalry	Activated 3 March 1833
6th Artillery	Activated 29 May 1898
12th Cavalry	Activated 2 Feb. 1901
13th Cavalry	Activated 1 May 1901
73d Artillery	Activated 12 Oct. 1918
1st Armored Division	Activated 15 July 1940
1st Armored Div. CC " A "	Activated 1 March 1942

From the above dates, it can readily be determined the periods of uniforms and accouterments of interest, the dates of photographs and diaries covering the units histories, the campaigns and wars in which the unit has been engaged.

Brig. Gen. Roland H. del Mar;
Headquarters Combat Command " A "
1st Armored Division, Fort Hood, Texas

Amelia Dyer—Married Alexander Johnson, and their daughter married Dr. Queen of Charles County, Md. about 1855. Information is requested about the parentage of Amelia Dyer and Alexander Johnson; also the ancestry of Dr. (William?) Queen.

Richard D. Mudd, M. D.
1001 Hoyt Street; Saginaw, Michigan

Rhodes—I would appreciate any information pertaining to the parents of Mothers Mary and Ann Rhodes, foundresses of the Sisters of Loretta; daughters of Abraham Rhodes (will filed in Hall of Records, Annapolis), and his wife Elizabeth. I would like to know Elizabeth Rhodes' family name. Send replies to:

Sister M. Matilda Barrett, S. L.
Merinx, Kentucky

Methodist History—A committee of the Association of Methodist Theological Schools is assembling information on autograph letters, journals, etc., of leaders of the early and middle periods of Methodist history in America. This is being gathered in order to have the materials microfilmed and thus made widely available. A beginning is being made with nine worthies:

1, Jesse Lee; 2, Orange Scott; 3, Ezekiel Cooper. Information on these should go to Dr. R. M. Cameron, P. O. Box 166, Concord, Mass.

4, Frederick Stier; 5, Nicholas Snethen; 6, John Emory. Material on these is the special responsibility of Dr. Douglas R. Chandler, Wesley Theological Seminary, 4400 Massachusetts Ave., N. W. Washington 16. D. C.

7, Wililam McKendree; 8, William Capers; 9, Joshua Soule. Material on these should go to Professor James W. May, Candler School of Theology, Emory University, Atlanta 22, Georgia.

News of the location of any material as above described will be warmly appreciated by the members of the Committee.

Richard M. Cameron, Professor
Boston University School of Theology

The Jewish Historical Society of Maryland, Inc. has been organized in Baltimore with Mr. Hugo Dalsheimer as President. The Society is occupying quarters at 5800 Parks Heights Avenue where suitable materials are being gathered under the curatorship of Dr. Isaac M. Fein. The other officers are: Dr. Harry Bard, Vice President, Mr. Isaac Hamburger, Vice President; Dr. Alvin Thalheimer, Treasurer, and Dr. Louis L. Kaplan, Secretary.

CONTRIBUTORS

James W. Foster is Director of the Maryland Historical Society. He was editor of the *Maryland Historical Magazine* and general editor of *Studies in Maryland History*. He is author of many studies in the history of the State, among which are *Fielding Lucas, Jr., Early 19th Century Publisher* (1956), and *The Lords Baltimore. Contemporary Portraits of the Founder and the Five Proprietaries* (1942) currently being reprinted.

His article " George Calvert: His Yorkshire Boyhood " represents a major contribution to the field of early American history. There is but scanty information on the early life of the founder. The published article is part of a projected book on the life of George Calvert, the research for which has filled nearly twenty years of work in England, France and America, notwithstanding the several additional duties of the author.

J. R. Pole is professor in the University College, London, England. He is currently visiting professor at the University of California, Berkeley. Mr. Pole is a student of early American history and author of several articles in this field.

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Harold Hancock is professor of history at Otterbein College in Ohio. His article on Smyth was written while on sabbatical leave on a grant from the American Philosophical Society.

Franklin R. Mullaly is a member of the Historical Branch of the National Park Service. He is now an historian at Hyde Park, New York. He was formerly a member of the historical research staff at Fort McHenry and participated in the research on the restoration of the Fort as it appeared during the Battle of Baltimore in 1814. His " Battle of Baltimore " was published in the *Magazine* in March, 1959.

Dorothy Brown is a candidate for the Ph. D. at the University of Georgetown. Her current " Pinkney Letters " were discovered during the course of research for the doctoral dissertation on early Maryland politics. Miss Brown is Instructor in History at Notre Dame College, Baltimore.

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Bridge over the Brandywine at Downing's Town, Pennsylvania. The Bridge, incomplete as pictured, was built by John Laurie. (c. 1810) B. H. Latrobe. From the Maryland Historical Society Collection. . . . . Cover, March

Fig. 1. Card table in the Classical or Louis XVI Style, labeled and stamped by Charles-Honoré Lannuier. Mahogany with ormolu mounts, 1804-1810. Courtesy of the Henry Francis Dupont Winterthur Museum. . . . . betw. 22-23

Fig. 2. Card table in the Empire style labeled by Lannuier, one of a pair which belonged originally to Stephen Van Rensselaer of Albany. Mahogany with gilt caryatid and ormolu mounts, c. 1810. Courtesy of the Albany Institute of History and Art, betw. 22-23

Fig. 3. Card table attributed to Lannuier, one of a pair which belonged originally to James Bosley of Baltimore. Mahogany with gilt caryatid and ormolu mounts, c. 1810. Courtesy of the Maryland Historical Society, ... betw. 22-23

Fig. 4. Settee or window set attributed to Charles-Honoré Lannuier. Part of the set owned originally by James Bosley. Mahogany with gilt caryatids, c. 1810. Courtesy of the Maryland Historical Society, ... betw. 22-23

Fig. 5. Armchair from the Bosley group attributed to Lannuier. Mahogany with gilt caryatids and ormolu mount, ca. 1810. Courtesy of the Maryland Historical Society, ... betw. 22-23

Fig. 6. Matching side chair from the Bosley group attributed to Lannuier. Mahogany with ormolu mount, ca. 1810. Courtesy of the Maryland Historical Society, ... betw. 22-23

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